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Comprehensive Nuclear-Test-Ban Treaty

Comprehensive Nuclear-Test-Ban Treaty

Note by the Secretary-General

1. The report of the Executive Secretary of the Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization covering the year 2008 is hereby submitted to the General Assembly pursuant to the provisions of article IV, paragraph 1, of the Agreement to Regulate the Relationship between the United Nations and the Preparatory Commission (General Assembly resolution 54/280, annex).

2. Since only a limited number of copies of the report are available, it has not been possible to make a full distribution. Delegations are therefore requested to have the copies transmitted to them available during the discussion of the item.

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Item 96 (k) of the provisional agenda*
General and complete disarmament

Implementation of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction

Note by the Secretary-General

1. The report of the Organization for the Prohibition of Chemical Weapons on the implementation of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction for the year 2007 is submitted herewith to the General Assembly pursuant to the provisions of article IV, paragraph 1, of the Agreement concerning the Relationship between the United Nations and the Organization for the Prohibition of Chemical Weapons (General Assembly resolution 55/283, annex). At the request of the Organization, its 2008 draft report is also annexed herewith to provide Member States with the most up-to-date information.

2. As only a limited number of copies of the report are available, it has not been possible to make a full distribution. Delegations are therefore requested to utilize the copies transmitted to them at the time of the discussion of the item.

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Sixty-fourth session
Item 62 (a) of the preliminary list*
Social development: implementation of the outcome of the World Summit for Social Development and of the twenty-fourth special session of the General Assembly

Follow-up to the implementation of the World Summit for Social Development and of the twenty-fourth special session of the General Assembly

Report of the Secretary-General

Summary

The present report has been prepared pursuant to General Assembly resolution 63/152 on the implementation of the outcome of the World Summit for Social Development and of the twenty-fourth special session of the General Assembly. The report provides a substantive overview of the discussions held on the priority theme "Social integration" during the forty-seventh session of the Commission for Social Development. It examines the impact of the current global crises on social development and social integration. The report also addresses the social dimensions of the New Partnership for Africa's Development and concludes with a set of recommendations deriving from the deliberations of the Commission.

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I. Introduction

1. As part of the follow-up to the implementation of the outcome of the World Summit for Social Development and the twenty-fourth special session of the General Assembly, and in compliance with its two-year implementation cycle, the Commission for Social Development chose "Social integration" as its priority theme for the 2009-2010 review and policy sessions. The review segment of the Commission's forty-seventh session, held in February 2009, identified challenges and strategies for promoting social integration. As mandated by the Economic and Social Council, the outcome of the review session was in the form of a chairperson's summary.[1]

2. The present report reflects on the key issues discussed by the Commission in the context of social integration and in relation to poverty eradication and full employment and decent work for all, taking into consideration the chairperson's summary of the deliberations of the Commission and the report of the Secretary-General on promoting social integration, which was submitted to the Commission at its forty-seventh session (E/CN.5/2009/2), as requested by the General Assembly in its resolution 63/152. The report also addresses a range of issues pertinent to the impact of the current global crises on social development and social integration. It highlights the social dimensions of the New Partnership for Africa's Development, as well as the report of the Secretary-General on the social dimensions of the New Partnership for Africa's Development (E/CN.5/2009/3), and concludes with a number of recommendations that emanated from the debate.

II. Review of the substantive discussions held during the forty-seventh session of the Commission for Social Development on the priority theme "Social integration"

A. The importance of social integration for social development

Concept of social integration

3. The World Summit for Social Development and the twenty-fourth special session of the General Assembly identified the objective of social integration as creating "a society for all". The Copenhagen Declaration on Social Development and the Programme of Action[2] saw social integration as both a goal and a dynamic process that societies engage in to advance social development. In more specific terms, social integration could be defined as a process of promoting the values, relations and institutions essential for the creation of an equitable and socially cohesive society where all individuals, regardless of their race, gender, language, culture or religion, can exercise their rights and responsibilities on an equal basis with others and contribute to society.[3]

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[1] See http://www.un.org/esa/socdev/csd/2009_summaries.html.

[2] *Report of the World Summit for Social Development, Copenhagen, 6-12 March 1995* (United Nations publication, Sales No. E.96.IV.8), chap. I, resolution I, annexes I and II.

[3] See the report of the Expert Group Meeting on Promoting Social Integration, held in Helsinki from 8 to 10 July 2008, http://www.un.org/esa/socdev/social/meetings/egm6_social_integration/social_integration.html.

4. Social integration is a prerequisite for fostering a stable, safe, harmonious, peaceful and just society. It is based on promoting and protecting all human rights and fundamental freedoms and aims at non-discrimination, respect for human dignity, promotion of a culture of peace, tolerance and non-violence, respect for diversity, equality of opportunity, solidarity and participation of all in society. Social integration does not imply a notion of assimilation or coerciveness but rather aims to create an inclusive society in which diversity is not only accommodated but also respected, and each individual has an active role to play in furthering societal development.[4]

5. Such an inclusive society should be equipped with appropriate policies, mechanisms and institutions that enable people to participate in the decision-making processes that affect their lives. In this regard, the engagement of multiple stakeholders, including civil society organizations and vulnerable and disadvantaged groups, is crucial so that their voices can be heard. This inclusiveness of society creates and maintains stability, along with a readiness to embrace change when necessary. Disregard for social integration may perpetuate inequality and exclusion and lead to social tensions, violence, conflicts and social disintegration. It prevents individuals from reaching their full potential and making meaningful contributions to society.

6. Despite its importance, progress in the implementation of the agenda of social integration is mixed, partly because of the difficulty in translating this multidimensional concept into concrete policy-oriented actions. Worldwide, income inequality is growing, while many individuals and social groups remain marginalized and excluded in many countries. Discrimination and other human rights violations also remain a major concern in many countries. The ongoing global crises, which are further straining the social fabric, highlight the critical importance of social integration. At this critical juncture, the commitment of Governments to promoting social integration should be revitalized, and renewed efforts should be made to accelerate its implementation.

Concepts related to social integration

7. While social integration is one of the core themes put forward by the World Summit for Social Development, there are other important concepts related to social integration, namely, social inclusion/exclusion and social cohesion. The concept of social inclusion has been used with increased frequency, both in intergovernmental debate and in policymaking (see E/CN.5/2009/2). Social and economic inclusion is increasingly recognized as a key to achieving social integration goals. It aims at providing equal access and opportunities for all in multiple areas, in particular health care, education, housing, full employment and decent work.

8. Contrary to that, social exclusion refers to a process through which individuals or groups are wholly or partially excluded from fully participating in various aspects of social, cultural, political and economic activity on the grounds of their social identities, such as gender, race, ethnicity, culture or language, and physical, economic and social disadvantages.

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[4] See *Participatory Dialogue: Towards a Stable, Safe and Just Society for All* (United Nations publication, Sales No. 07.IV.3).

9. Social cohesion refers to the elements that bring and hold people together in society and can be understood as the willingness of individuals to cooperate and work together at all levels of society to achieve collective goals. In practical terms, social cohesion denotes the capacity of a society to ensure the well-being of all its members, minimizing disparities and avoiding marginalization, to manage differences and divisions (see E/CN.5/2009/2). In a socially cohesive society, social bonds are strong and all individuals and groups have a sense of belonging, recognition, legitimacy and shared values that help to reduce inequalities in wealth, income and human relations.

10. There are no single agreed definitions for social inclusion/exclusion or social cohesion, and these concepts are often applied in the context of specific conditions of each society. While there is no "one size fits all" approach for promoting social integration at the regional, national and local levels, there are many creative ways to develop policies and programmes that advance the agenda of social integration.

11. Some recent regional developments are noteworthy. For instance, in February 2009 the African Common Position on Social Integration, along with the Social Policy Framework for Africa and the Windhoek Declaration on Social Development, were endorsed by the African Union. Acknowledging the prevailing marginalization and exclusion of vulnerable and disadvantaged groups, these documents encourage African Union member States to promote and accelerate a sustainable social development for the continent through more integrated social policies. In addition, the Council of Europe organized its first conference of ministers responsible for social cohesion in February 2009 in Moscow on the theme "Investing in social cohesion — investing in stability and the well-being of society".

B. The importance of social integration for poverty eradication and full employment and decent work for all

Poverty

12. Poverty is a multidimensional phenomenon, caused not only by economic but also by various other social, cultural and political factors. Efforts to reduce poverty and eradicate absolute poverty are closely associated with strategies to combat social exclusion and promote social integration. At the same time, poverty reduction and decent work can be seen as major pathways to social integration and greater inclusion.

13. Despite various commitments and efforts made at the international and national levels, poverty, inequality and social exclusion remain persistent in many countries. Even where overall progress has been achieved, there exist segments of the population, including older persons, indigenous peoples and persons with disabilities, who have not benefited from the development gains attained in society as a whole.

14. Strong interlinkages exist between poverty and social exclusion. Often, poverty is seen as a particular form of social exclusion or an accumulation of different forms of exclusion. Poverty is manifested not only by material deprivation but also by a lack of recognition and dignity; inadequate access to employment, education, health services and justice; and a lack of voice and political representation. Those experiencing chronic poverty are largely excluded from

participating in social, economic, cultural and political activities, often being cut off from social connections and formal economic and social networks and institutions. As a result, they become locked into exploitative power relationships that deepen their exclusion.

15. Discrimination in its various forms often underpins poverty and raises barriers to social integration. Despite existing laws and policies, it is often the societal norms, traditional customs and practices and mindsets of people that maintain stereotypes, prejudices and exclusionary behaviours. Various social groups, including older persons, persons with disabilities, indigenous peoples and migrants and their families, suffer from multiple disadvantages and are more likely to live in poverty and exclusion.

16. More systemic analysis is required to identify the multiple causes of poverty, inequality and social exclusion, along with the composition and location of those groups that are excluded and marginalized. In sub-Saharan Africa, for example, women, especially those living in rural areas, are often excluded from basic education, land ownership, credit markets and employment, which in many instances leads to further social exclusion and the intergenerational transmission of poverty. Understanding the nature of existing barriers to their access and effective participation is, therefore, of particular importance to prevent marginalization that leads to even further social exclusion.

17. Social integration entails promoting a people-centered approach to poverty eradication. This requires empowering people living in poverty by involving them in the planning, design, implementation and monitoring of poverty reduction strategies and programmes. Their participation should be considered not as an add-on element but rather as central to poverty reduction efforts, so that these strategies and programmes can be designed in a way that respects the dignity and culture of people living in poverty, uses their skills, knowledge and creativity and assists them to organize and become educated about their rights.

18. The social integration of persons living in poverty should begin with meeting their basic human needs, including nutrition, health, water and sanitation, housing and access to education and employment. At the same time, societies should make every effort to empower people so that they can break the poverty cycle. In particular, education is key to empowering poor and other marginalized groups. Education expands significantly the range of choices available to persons living in poverty. Through education and training, persons living in poverty can develop the skills necessary to take advantage of better employment opportunities and work conditions, gain a better understanding of their rights and access to legal information and the court system, and participate more fully in all aspects of economic, social and cultural life. Access to health care also significantly improves the quality of life of persons living in poverty, particularly in those developing countries where infectious diseases and malnutrition afflict the lives of millions, including children, pregnant women and older persons. Improving access to basic services is, therefore, an important element in promoting social integration.

Productive employment, decent work and social integration

19. Creating productive employment and decent work opportunities is central to social integration. Productive employment that pays decent wages is a principal route out of poverty and an important instrument for social inclusion and the

empowerment of both individuals and social groups. Access to productive employment and decent work for all is critical to building an inclusive society. Sufficient job creation is necessary to absorb a growing workforce into the labour market. Increased investment and enhanced economic growth help create employment opportunities. The framework for employment creation and growth and social inclusion should incorporate investment policies and pro-growth macroeconomic policies — investment in physical, productive and social infrastructure, including education and skills development, particularly for young people; entrepreneurship and the promotion of sustainable enterprises; and the expansion of universal social protection.

20. In many countries, there is a shift towards more informal, casual and contractual employment. While this trend has increased insecurity and instability in general, many may face further vulnerability due to social exclusion. Although the prospect of bringing informal workers into the formal economy remains a long-term goal, in the short term there should be efforts to extend some of the protections that are afforded to workers in the formal economy to those in the informal economy, including the provision of social protection.

21. Research has shown that it is possible to provide social protection to people engaged in the informal economy without jeopardizing budget sustainability. The International Labour Organization has developed tool kits under its Strategies and Tools against Social Exclusion and Poverty (STEP) programme. STEP is a global programme of the ILO Social Security Department focusing on the poor and excluded populations in the informal economy and the rural sector. STEP works in two interconnected fields: the extension of social security in health and integrated approaches to fighting against social exclusion at the local level. Among the pioneering approaches of STEP, its work on the development of community-based social protection schemes, e.g., microinsurance and mutual health organizations, has been hailed as a promising initiative for poor populations excluded from formal systems, particularly in the least developed countries. STEP has also created an innovative electronic platform called CIARIS (Language and Resources Centre on Social Inclusion), which connects people, experts and resources in order to better combat social exclusion and poverty.

22. Eliminating discrimination in the workplace is equally important to promote social integration. Active labour market policies, such as the creation of public employment programmes, can play an important role in addressing discrimination, especially for the long-term unemployed or those with multiple barriers to employment. Exclusion from employment due to discrimination based on one's background or characteristics such as age also persists in many countries. People from marginalized groups often have fewer opportunities to acquire the skills necessary for well-paid jobs, as a result of negative stereotyping. Once employed, they also face barriers to promotion and other career development opportunities. Labour policies that promote social inclusion should be based on non-discriminatory practices and designed to improve access for all to education and training and the acquisition of new skills and lifelong learning.

23. In a globalized economy, it is imperative to develop or extend social protection systems in order to enable disadvantaged groups and individuals to seize job opportunities created by technological advances and demographic changes. Education and skills training are crucial for making people employable, allowing

them to gain access to decent work and escape poverty and promoting social inclusion and greater equity in society. Investing in human resources and expanding access to job opportunities are, therefore, key components in promoting social integration and inclusion. Expanding access to job opportunities would require cooperation among government agencies, apex bodies representing the private sector and civil society organizations, including labour unions.

24. The agricultural sector and rural areas, where a significant share of the poor in most of the developing world continues to live and work, require increased attention. Decent work deficits tend to be severe in rural areas, and access to social protection is extremely limited. Agriculture and rural development are essential for promoting rural employment and social inclusion. Focusing on employment-intensive rural development that benefits the poor is crucial.

25. Given the increase in urbanization and the rise in the number of urban slum-dwellers, added attention must also be paid to improving the social integration of these disadvantaged individuals. Many of them are working in the informal economy in low-paying, unproductive and often hazardous occupations, such as urban waste pickers and street vendors. Efforts to improve the pay and working conditions of these informal workers through, for example, raising the productivity of the self-employed and through the formation of cooperatives or labour unions, are central to bringing them into the mainstream of society.

C. Social groups

26. No social group is inherently vulnerable, and all social groups have some level of heterogeneity. However, there are social groups in society that face particular challenges to social integration. Working towards their integration, bearing in mind that each social group consists of individuals with diverse backgrounds, requires identifying and addressing specific obstacles faced by different groups in society. Since the World Summit for Social Development, notable progress has been made in addressing and promoting the social integration of certain social groups through the adoption of international instruments such as the Madrid International Plan of Action on Ageing, the World Programme of Action for Youth to the Year 2000 and Beyond, the Convention on the Rights of Persons with Disabilities and the United Nations Declaration on the Rights of Indigenous Peoples. The adoption of the Beijing Declaration and Platform for Action has also played a momentous role in promoting the participation of women in all aspects of public and private life.

27. While progress has been made in building important foundations for minimizing exclusion and addressing the specific needs of women and key social groups, such as older persons, youth, persons with disabilities and indigenous peoples, this has not been sufficient to achieve the broad goal of social integration endorsed by the World Summit. Beyond helping social groups to gain access to the larger society, social integration requires a paradigm shift in order to transform those social norms, principles and institutions that underpin unequal relations and effectively counter such ills as racism, sexism and ageism.

28. Furthermore, there are various other groups and individuals in society, including ethnic, religious, cultural and linguistic groups; the working poor; the rural and urban poor; migrants; children in poor households; single parents; persons affected by stigmatized illnesses, including HIV/AIDS; and internally displaced

persons, that face specific challenges of integration. It is important to recognize that they typically face social, economic, cultural and environmental barriers that impede their access and opportunity to effectively participate in all aspects of society on an equal basis with others. Society has a responsibility to reduce those barriers, through acknowledging and promoting the intrinsic dignity and rights of all human beings. Beyond effectively incorporating their needs and concerns into social and economic development policies and strategies, those social groups must be included as equal partners in all stages of development.

29. At the same time, it has to be recognized that not all social groups in society are necessarily looking to be mainstreamed or "integrated". For example, past attempts to integrate indigenous peoples into a larger society often resulted in forced assimilation or inclusion under inferior conditions. Therefore, social integration strategies must focus on transforming society to respect diversity and accommodate people with different backgrounds, so that they can be active members of society, with equal access to opportunities and political participation, while maintaining their ethnic and cultural identities.

Youth

30. While young people are generally perceived as a vibrant generation full of potential, they also face real threats of social exclusion. In addition to factors leading to exclusion among all age groups, youth continue to face discrimination based on their age. Millions of young people continue to be illiterate, in spite of the fact that secondary education is becoming the minimum level of qualification required for finding decent employment in a globalized economy. The unemployment rates of young people are two to three times higher than those of adults, largely due to their lack of work experience, skills and personal networks.

31. Among youth, girls and young women often face additional barriers to social inclusion based on their age and gender. Young mothers, especially teenage mothers, are particularly vulnerable to being excluded, since early pregnancy often carries a stigma and forces the mother to drop out of school or discontinue working if adequate and affordable childcare facilities are unavailable. Young migrants and youth with migrant backgrounds also often experience difficulties in being integrated into education systems or competing with others in labour markets.

32. In promoting the social integration of young people, improved access and opportunities for basic education and skills and training are essential. It is also critical that national development frameworks have a comprehensive approach to the productive and decent employment of young people. In addition, it is important to enable the effective participation of young people in decision-making processes, as exclusion and the perception of neglect can push them to engage in crime and illegal activities and thus become disenfranchised from societal life.

33. To achieve this goal, several frameworks have been developed, notably the World Programme of Action for Youth, and several regional frameworks, such as the African Youth Charter, the European Youth Pact and the Ibero-American Convention on Youth Rights. While they have been instrumental in guiding the formulation and implementation of national youth policies, these frameworks are not equipped with mechanisms to monitor the progress made so far (see A/62/61/Add.1, para. 4). In this regard, the specific goals and time-bound targets presented in previous reports

of the Secretary-General[5] may be useful to provide additional means to assess national progress.

34. The Youth Employment Network is an important inter-agency initiative of the United Nations system to address and monitor youth unemployment and underemployment. National action plans on youth employment promoted under the aegis of the Youth Employment Network provide a framework for an integrated approach to countering the problems of youth unemployment, focusing on employment, employability, entrepreneurship and equal opportunity.

Older persons

35. Even though the world is ageing at an ever-increasing pace, older persons continue to be sidelined from the mainstream of society. Whereas the Madrid International Plan of Action on Ageing called for a "society for all ages", achieving the goal of having older persons treated as active participants in society is still far away.

36. Overall, older persons continue to be excluded from full participation in political, social, economic and cultural areas of societal life in many countries. The barriers that preclude the inclusion of older persons are fairly universal: poverty, poor health, low educational levels and lack of transportation and access to services. Negative stereotypes about old age and overt or subtle age discrimination remain prevalent. This is not to say that older persons as a group are all vulnerable and subject to social exclusion. There are many very active older persons who fully participate in society. However, in many instances, particularly in developing countries that have experienced demographic transition, with an increasing number of older persons in the population, economic vulnerability and social exclusion are all too common.

37. Experience shows that a first step towards empowering older persons to become full and active participants in society lies in taking legislative measures to guarantee their basic rights and to prevent violence and abuse against them. Legislative measures can range from guaranteeing equal access to health care to ensuring basic economic security to assuring the participation of older persons in important decisions that affect their lives. In many instances, however, current legislation is not fully implemented and falls far short of achieving these objectives. This is likely to remain the case unless ageing concerns are mainstreamed into existing policy priorities, rather than treated as peripheral or sectoral issues.

38. In this light, ageing should be viewed as part of a normal human life course and not as a condition that separates older persons from the rest of society. Older persons can be caregivers and may need to be cared for. They can be recipients of benefits such as pensions and health care as well as key contributors to the economy, performing valuable services, both paid and unpaid. In sum, ageing issues will be addressed most effectively when they are viewed in a more socially integrated manner, one that acknowledges and values the integral role of older persons within the wider community.

[5] See A/64/61-E/2009/3, A/62/61/Add.1-E/2007/7/Add.1 and the *Guide to the National Implementation of the World Programme of Action for Youth* (United Nations publication, Sales No. E.06.IV.11).

D. Strategies to promote social integration

39. Advancing economic and social integration requires well-coordinated and coherent public policies, along with long-term national strategies for promoting growth with equity and social justice. The promotion of economic integration entails broad support for the productive employment and decent work agenda and redistributive measures that enhance people's access to economic opportunities.

40. Social integration requires adopting inclusive policies aimed at preventing and redressing the different forms of exclusion. Different types of exclusion call for distinct forms of intervention. Moreover, various social groups, such as older persons, persons with disabilities and indigenous people, suffer from multiple disadvantages and are more likely to live in poverty and exclusion. That is why focusing on specific groups and promoting their inclusion through universal access to services and opportunities is often regarded as an effective way to tackle poverty. At the same time, more targeted affirmative action programmes may be advanced, without reducing the opportunities for others, in order to help the marginalized sections of society that have been lagging behind. This makes sustainable and equitable economic growth an imperative for national development strategies.

41. It is generally agreed that social integration policies should address physical security, including health and food security; human resources investments, such as in education and health; social protection measures; social capital investments; and specific policies aimed at the equalization of opportunities for all.

42. Ultimately, policymakers need to articulate and implement socially transformative policies so that the socially excluded and marginalized become part of the society they live in and break the intergenerational cycle of poverty and exclusion. Among such transformative policies, investing in and improving access to health and education have great potential to break the cycle by closing gaps in education and health outcomes for disadvantaged groups.

43. Strong political leadership and commitment are required to advance social integration. While Governments are primarily responsible for achieving the goal of social integration, the successful implementation of socially inclusive strategies rests on the entire society. That is why measures to strengthen participatory democracy, including mobilizing public opinion and engaging civil society organizations, are critical to fostering social cohesion.

Ways and means to reduce barriers to social integration

44. Formulating socio-economic policies that effectively protect vulnerable populations is necessary to promote social integration. Such policies should have both long- and short-term objectives. However, for socially inclusive policies to take hold, society must be bound by a social contract, a sense of belonging and a willingness to support others in times of need, in addition to the trust of citizens in institutions.

Social justice, equality, non-discrimination and inclusive education

45. Ensuring social justice and equality of all people, enshrined in the Universal Declaration of Human Rights, forms the basis for an inclusive society. The principles of social justice are a prerequisite for such a society, where every

individual and group is entitled to fair and equal treatment, has equal access to rights, fulfils his or her responsibilities and shares the benefits produced by society. Institutions that promote the principles and values of social justice should be put in place in every society.

46. Anti-discrimination measures are also important for advancing equality, equity and social justice. Such measures include enacting and implementing appropriate laws and regulations to combat racism, all forms of discrimination, religious intolerance and xenophobia. While enacting legislative measures is the first step to be taken, also important is a careful review of existing laws and regulations for bias or discrimination against some members of society and amending them as necessary. In addition, other measures that promote tolerance, mutual respect and the value of diversity should be encouraged, for example through educational curricula and inclusive education that advances respect for difference and combats prejudice and racial and other stereotypes.

Social protection

47. Social protection is an effective tool for addressing both the causes and symptoms of vulnerability and structural inequality while meeting the immediate and basic needs of the poor and excluded for sustaining their livelihoods. Social protection is also critical to protecting individuals and families from falling into poverty, particularly during economic downturns.

48. Ideally, social protection systems should be universal, adequate, adaptable, efficient and financially sustainable, and they should mitigate potential short- and long-term social risks, such as sickness, old age and disability, in addition to economic risks, such as unemployment. Social protection programmes should promote independence, facilitate the integration or reintegration of people excluded from economic activity and prevent social isolation and stigmatization. Social protection should, therefore, be seen as an investment in people and also as an effective instrument for reducing income inequality and poverty and advancing social inclusion.

49. As each country has different needs and concerns, social protection systems need to be designed to give full consideration to country-specific conditions while maximizing their effectiveness. Universal basic social protection can be affordable enough in most developing countries to provide minimum social coverage for all vulnerable people.

50. The calculations of ILO show that a basic social security floor — to provide universal coverage, adapted to meet specific country needs and possibilities — is a feasible goal within a reasonable time frame. ILO is working on a set of minimum guarantees consisting of income security for children, the elderly and the disabled, social assistance through employment guarantees for the active population and access to essential health care that can be part of a wider social floor combining cash transfers and essential services. Such a global social protection floor would strengthen the protection pillar of the decent work agenda while stimulating consumption and economic growth.

Family policy

51. The family, as the basic unit of society and in its educative role during child-rearing, is vital to the promotion of social integration and social cohesion. Family policies need to be strengthened to fully enable families to fulfil this role. Special efforts also need to be made to integrate marginalized families, increase the access of families to basic services and more effectively promote the social integration of children and youth, particularly those from disadvantaged and vulnerable families. To further family well-being, it is important to integrate a family perspective into all areas of policymaking, including health care, the work environment and the tax code.

52. The preparation for the upcoming twentieth anniversary in 2014 of the International Year of the Family provides an occasion for the continued promotion and implementation of the mandated objectives of the International Year of the Family and of the integration of a family perspective into policymaking and development.

Volunteerism

53. Volunteerism is increasingly seen as a powerful means to engage people in tackling development challenges, transform the nature of development and enhance the cohesion of society. In this context, volunteerism has an important role in promoting social integration. Volunteerism serves to lift the lives of those who are excluded and marginalized by combating feelings of personal isolation, enhancing confidence and feelings of self-esteem, challenging stereotyping and offering opportunities to acquire skills, knowledge and networks that enable people to change their environment and themselves.

54. While the potential of volunteerism as a force for meeting national development goals is beginning to be recognized, the concept of volunteerism as a means of creating more cohesive societies has so far rarely been expressed in national policy discourse. However, volunteerism has already contributed to developing social capital for various social groups, including youth, older persons, women and persons with disabilities. Volunteerism provides disadvantaged social groups, in particular disenfranchised or marginalized youth, with opportunities for dialogue and inclusion and contributes to strengthening intergenerational solidarity through participation in community activities.

55. Volunteerism also offers marginalized individuals opportunities to acquire the skills necessary for entering the job market and paves the way to leadership roles through participation in capacity-building activities at the international, regional, national and local levels. Advances in information and communication technologies also extend the potential of volunteerism, such as online volunteering, which allows effective North-South and South-South contributions to development. Volunteering should be regarded as part of the basic fabric of well-functioning societies and, therefore, as a necessary element for promoting social integration.

III. Impact of the current global crises on social development and social integration

56. The global financial and economic crises, volatile food and energy prices and climate change pose threats to advances made in social development in recent years. They will have major negative implications for social development, and for social integration in particular. They also call for additional efforts to prevent people from falling into poverty in addition to those efforts aimed at lifting people out of poverty.

57. Increases in global food and energy prices in the first half of 2008 led to food protests in many developing countries and caused some countries to impose export restrictions. Many poor countries are net importers of food and energy and saw their import bills balloon in 2008. People living in poverty, especially the poorest of the poor, were hit the hardest by rising prices. The second half of 2008 saw the start of the worst financial crisis since the Great Depression of the 1930s. While most developed economies are expected to be in a deep recession in 2009, a vast majority of developing countries are experiencing a sharp reversal in the robust growth registered in the period from 2002 to 2007. Recovery may take months, or even years, to occur. This situation threatens to reverse progress towards the internationally agreed development goals, including the Millennium Development Goals.

58. These crises are unfolding against the background of the longer-term predicament of climate change. Climate change is likely to lead to new patterns of infectious disease outbreaks, new diseases resulting from ecosystem changes and changes in vector-borne diseases such as malaria. This poses new challenges to public health systems. Climate change, manifested in the increased frequency and intensity of natural disasters and extreme weather patterns, is having an impact on agriculture and food production and exacerbating the food crisis.

59. The confluence of crises on multiple fronts has created a global environment of diminished growth prospects with a high degree of uncertainty. At present, the impact of these crises on economic growth, employment, poverty and hunger is turning out to be worse than even the most pessimistic predictions.

60. The poorest countries will be the hardest hit by the global crises, and the poorest households, which spend the largest portion of their income on food, are or will be disproportionately hurt by high food prices and falling incomes. The number of people suffering from hunger is also increasing.

61. Contraction of economic activity is expected to lead to significantly higher levels of unemployment and worsening labour market conditions for workers, who had been facing increasing economic insecurity even during the period of robust economic growth. Initial projections put the rise in unemployment at 50 million over the next two years, but, as the situation continues to deteriorate, this number could easily double, according to ILO. Lessons from past financial crises indicate that it typically takes four to five years after economic recovery has set in for unemployment rates to return to pre-crisis levels.

62. Slowing, or even negative, economic growth with volatile commodity prices will put great downward pressure on the real wages of workers. While the economic downturn will take a considerable toll on employment throughout the world, certain

groups, such as migrants, youth, women, older persons and indigenous peoples, are particularly vulnerable. Unemployment and lower wages, in combination with volatile food and energy prices, are adding tens of millions to the ranks of poor people worldwide.

63. According to the report on the world economic situation and prospects as of mid-2009 (E/2009/73), the Department of Economic and Social Affairs estimates that between 73 million and 103 million more people will remain poor or fall into poverty in comparison with a situation in which pre-crisis growth continued. Most of this setback will be felt in East and South Asia, with between 56 million and 80 million likely to be affected, of whom about half are in India. The crisis could keep 12 million to 16 million more people in poverty in Africa and another 4 million in Latin America and the Caribbean.

64. People living in poverty have few coping mechanisms. They cope with higher food prices by consuming less and by eating less nutritious foods. Food price hikes in 2007-2008 have pushed an estimated 100 million more people into poverty. The Food and Agriculture Organization of the United Nations estimates that world hunger will reach more than 1 billion people in 2009, an all-time high. Poor people also have less money available to spend on health, since a higher portion of their income goes to purchasing food. High food prices lead to poorer nutritional status and lower weight of children. Stunted, underweight children will face lifelong negative health and productivity consequences.

65. The fallout from the crises will lead to a higher demand for social services and assistance, but public expenditure on social protection faces tight budget constraints, owing to declining government revenue. This is likely to result in increasing inequality, as the impacts of the crisis and cuts in public expenditure would disproportionately affect low-income people. Policy measures aimed at promoting social development could fall victim to the financial crisis as well.

66. Economic hardship threatens social cohesion, and rising social tensions can potentially lead to increases in social unrest and violence. Interpersonal violence and violence against women are linked to economic stresses in communities and families. These pose great challenges to promoting social integration. Economic hardship also leads to scapegoating of certain social groups, such as migrants. They not only become targets for attacks but are also among the first to lose jobs and the last to get jobs.

67. National Governments and the international community should take a comprehensive and coordinated approach to finding a solution to the current crises. Priority attention needs to be given to alleviating the adverse effects of the crises on the poor and on disadvantaged social groups, and such policies should take national circumstances into consideration.

68. Mitigating the impact of the crises on social development will require the creation of comprehensive and consistent short- and long-term social and economic policies, which are recognized to be mutually reinforcing. Reducing social spending may be tempting in the short run, but the long-term implications would likely be counterproductive. Therefore, reductions in social spending should be avoided. At the same time, the cost of social protection and social provision is not as high as it appears, as there are synergies among various aspects of social development. For example, expenditure on basic education improves health outcomes and hence

reduces expenditure needs in the health sector. Education and better health improves productivity and helps ease the strain on budgets.

69. However, it should be kept in mind that, even before the advent of the global financial and economic crises, many countries had been hard-pressed to tackle emerging social challenges, such as growing income inequality, increased migration, rapid and uncontrolled urbanization, ageing populations, the HIV/AIDS epidemic and the break-up of family structures, all of which pose particular challenges to social integration. In developing countries, a lack of investment in the agriculture sector has created a large development gap between urban and rural areas. As a result, many rural habitants are moving into large cities, leading to an expansion of urban slums, a large number of unemployed and deteriorating security.

70. To counter the negative impact of the current global crises, preservation of employment and decent work opportunities should be a priority; jobs, once lost, are extremely difficult to regain. Skills training appropriate to the labour market should be expanded. Combining working time flexibility with training is one strategy to achieve skills development and labour market consistency while retaining jobs.

71. Social protection makes a critical contribution towards meeting the development goal of poverty eradication and making a positive impact on economic growth, social cohesion and social development. Basic social protection, including social and health services and income security, help people to cope with crises and to avoid irreversible losses in their productive assets and human capital, especially in a period of economic slowdown and great uncertainty. A practical approach should be taken to extend basic social protection, based on country-specific conditions, with the active participation of all stakeholders.

72. Cooperation and coordination at the international level is imperative to combat the effects of the global crises. Official development assistance commitments should not be neglected as a result of the inevitable consideration of rising needs for social assistance in donor countries during a time of financial and economic crisis. Developed countries need to look at global social justice as beneficial to all and strive to meet their commitment to provide financial and technical support to developing countries in achieving the internationally agreed development goals.

73. The current crises call for significant reform of the international financial architecture and the governance of the global economic system. Sufficient regulation of financial institutions is needed. Restructuring the international financial system should be an inclusive process.

IV. Social dimensions of the New Partnership for Africa's Development

74. Investing in the special social development needs of Africa constitutes a commitment to fairness and to more effective public policy and better governance. It also creates the social cohesion that is needed for long-term economic growth and the improvement of the human condition.

75. The New Partnership for Africa's Development's (NEPAD) priority areas that focus on fostering peace, security and good governance and investing in agriculture, health, education, infrastructure development, trade and the environment therefore

offer African countries renewed hope and opportunity to focus on the multidimensional needs of disadvantaged social groups.

76. NEPAD provides African States the opportunity to adopt and implement country-owned multisectoral policies that can enhance the voice, participation and empowerment of all members of society. Such policies include increasing access to quality schools and primary health-care facilities, agricultural inputs, water and sanitation, better infrastructure and participation in national and local decision-making processes. If fully implemented, these endeavours will result in improvements in the human condition, particularly in life expectancy, education and infant and maternal mortality. Better nutrition resulting from increased agricultural productivity will also raise both farm and non-farm productivity, while the improved management of the environment, trade and regional cooperation will contribute to fostering stronger economic growth.

77. To strengthen regional efforts aimed at addressing social issues, the African Union, at its twelfth Summit, held in Addis Ababa from 26 January to 3 February 2009, endorsed the recommendations of the first session of the African Union Conference of Ministers in Charge of Social Development, in particular the Social Policy Framework for Africa, the Windhoek Declaration on Social Development and the African Common Position on Social Integration (see A/63/848, annex I, p. 26). The Social Policy Framework places poverty eradication, agriculture, gender equality, employment creation, social protection, primary health care, education, HIV/AIDS, ageing, disability, environmental sustainability, the family, indigenous culture, civil strife and conflicts, and disaster prevention as core social development issues in Africa. In sum, the Framework sets out a sustainable social development vision for African societies that is based on social justice, social inclusion and freedom from poverty, hunger and discrimination.

78. The recommendations captured in this strategic vision are aimed at fostering a development agenda that is centered on the empowerment and well-being of the people of Africa, in societies that are safe, inclusive, just and equal. If successfully implemented, the Social Policy Framework for Africa will assist in minimizing the impact of the current global crises on vulnerable social groups. The Framework calls for the implementation of comprehensive social protection systems that include pensions, disability grants and improved access to health care and education while taking into account the unique circumstances of each country.

79. The Framework also looks at social policy not as welfare or as providing social safety nets, but rather as a major pillar of development — in keeping with the themes of the World Summit for Social Development. Such a view will ensure equitable and socially sustainable development across the continent. For this Social Policy Framework to be a reality, African Governments need to shoulder the primary responsibility of funding and implementing it. International development partners, civil society, the private sector and other stakeholders should augment these efforts by honouring existing and new commitments.

V. Conclusions and recommendations

A. Conclusions

80. The World Summit for Social Development and the twenty-fourth special session of the General Assembly highlighted the importance of social integration. The goal of social integration is to bring all social groups and individuals into the political, social, cultural and economic structures of a society so that they can fully participate and contribute to its development. Yet, the persistence of social exclusion significantly impedes poverty reduction efforts and plagues economic growth and social development. That is why social inclusion must become a high priority for Governments, the international community and all those who have a stake in the development process. Additionally, peace and stability within society and among States may well depend on the success of socially inclusive policies that Member States pursue.

81. Whereas it is the responsibility of Governments to set up institutional arrangements at the national and local levels that facilitate social integration, working to promote social integration is an undertaking for the whole of society. The task of social integration should, therefore, be shared by all sectors of the economy and society at large, including the private sector and civil society organizations. The successful implementation of socially inclusive strategies eventually depends on the extent to which individuals and groups are aware of their rights and responsibilities and Governments are accountable and committed to social justice.

82. International efforts to advance social integration have largely focused on addressing the special needs of certain social groups, while at the national level many Governments have pursued policies aimed at combating exclusion, often with a focus on the most marginalized groups or individuals. Working towards inclusion requires a clear recognition of the specific obstacles faced by different groups in society. At the same time, the needs of specific groups must be addressed without stigmatizing them or overemphasizing their predicament, which could reinforce the fault lines in a society.

83. Despite the pronounced commitments to internationally agreed development goals, the promise to take action towards social integration remains largely unfulfilled, while at the same time economic trends associated with globalization have run counter to social integration in many parts of the world. The poor and marginalized have largely been excluded from the benefits of globalization, as recent employment trends have resulted in greater segmentation in the labour market, a situation that the current global crises are likely to aggravate and perpetuate. On the basis of the present report, the General Assembly may wish to consider the following recommendations set out below.

B. Recommendations

National level

84. Governments should develop socially inclusive policies and mainstream them into national development and poverty reduction strategies. Such policies

should be based on respect for diversity and a ban on forced assimilation. To achieve that, Governments may consider establishing an institutional focal point tasked with promoting and monitoring social integration.

85. Governments should actively pursue policies that explicitly prohibit discrimination against marginalized groups and individuals based on race, colour, sex, language, religion, political or other opinion, national or social origin, property and birth or other status and remove all discriminatory provisions from their national legal frameworks.

86. Governments should consider promoting full employment and decent work as central instruments for social and economic inclusion and poverty reduction, with particular attention to socially and economically marginalized groups.

87. Governments should design and implement comprehensive cross-sectoral social policies, including basic social protection schemes for both the formal and informal economy, as instruments to achieve equity, inclusion, stability and cohesion in their societies.

International level

88. The international community and donor Governments should pay particular attention to the needs of fragile societies, including those emerging from conflict, and to subregions at risk, in order to promote peacebuilding, social cohesion and constructive community relationships geared towards preventing and mitigating violent conflicts.

89. Regional intergovernmental entities are invited to facilitate the exchange of good policies and practices aimed at achieving equity, inclusion and cohesion.

90. The international community may reflect on the current group-specific mandates in order to identify the links and areas of convergence between them. The commonalities found in approaches to different vulnerable groups could form a basis for more effective implementation of those mandates.

91. The United Nations system is encouraged to develop a coherent system-wide approach to support national efforts for fostering social integration at the international, regional, national and local levels. In particular, the United Nations system and United Nations country teams should support national Governments in mainstreaming social integration objectives into development policies and plans and poverty reduction strategies and ensuring the participation of disadvantaged social groups in planning, implementation and monitoring processes, in collaboration with civil society, the private sector and other partners.

92. The international community and donor Governments should strive to maintain their commitments to meeting the demands for social services and assistance, including health services and income security, that have arisen from the global economic and financial crises, particularly among the poorest and most vulnerable.

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World Social Situation 2009

Overview

I. Introduction

1. Although considerable progress has been made in reducing levels of absolute poverty, overall, the world is not on track to meet the Millennium Development Goals of halving levels of extreme poverty by 2015. According to the World Bank, the proportion of people living on less than $1.25 a day in developing countries declined from 1.9 billion to 1.4 billion between 1981 and 2005 at 2005 purchasing power parity. Improvements in overall poverty levels have depended, to a large extent, on growth. Countries or regions that have experienced strong growth during the last two decades have managed to reduce poverty levels, particularly in urban areas. This includes countries such as China and India. It is the success of these countries that has largely driven global poverty trends downward. However, not every region or country has recorded such remarkable progress. The absolute number of poor people has gone up in several countries in sub-Saharan Africa, Latin America, the Middle East and North Africa, as well as in Central Asia.

2. Given these trends, the question arises whether global efforts to reduce poverty should be considered a success or failure. While China and India can be considered success cases, for many developing countries, particularly the least developed countries, this is not the case. Growth in these countries has not translated into poverty reduction while agricultural productivity remained low.

3. The worst financial and economic turmoil since the Great Depression of the 1930s that is afflicting the world threatens to stall the modest progress made so far. The fact that this economic and financial crisis is coming on the heels of the sharp spikes in food and energy prices in 2007-2008 has made the fallout much worse for most developing countries and for poor people everywhere. The World Bank

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estimates that 130-155 million people were pushed into poverty in 2008 alone because of rising food and fuel prices. The United Nations warns that between 73 and 103 million more people would remain poor or fall into poverty in 2009 as a result of the global economic slowdown (see E/2009/73).[1] In addition, the World Food Programme estimates that the number of chronically hungry people in the world will surpass the 1 billion mark in 2009. The International Labour Organization projects 50 million more people will be unemployed in 2009 compared to 2007. Many of these people disproportionately lack access to social protection and credit markets, and hence are least prepared to smooth consumption effectively when faced with shocks of this magnitude. As a result, about half of the world's achievement in poverty reduction in the last 10 years will be wiped out in 2008-2009.

4. The International Monetary Fund is predicting that low-income countries will experience deterioration in their external balance of payments due to lowered demand for their exports as well as reduced in-flows of foreign direct investment and remittances. Domestic budgetary crises may force countries to reduce social spending precisely when the need is greater. As a result, inequality and poverty are likely to rise. The impact of the crises and cuts in public expenditure will fall disproportionately on low-income segments of the population, pushing them into poverty in some cases and deeper into poverty if they are already poor.

5. Against this dismal background, it is worth remembering that at the Millennium Summit held in New York in 2000, world leaders vowed, in the Millennium Declaration, that they would "spare no effort to free our fellow men, women and children from the abject and dehumanizing conditions of extreme poverty, to which more than a billion of them are currently subjected". To this end, these leaders further resolved to achieve the Millennium Development Goals contained in the Millennium Declaration, the first of which is to halve, by 2015, the proportion of people living on less than one dollar a day and the proportion of people who suffer from hunger.

6. It is clear that the current global crises are reversing whatever progress has been achieved so far towards the internationally agreed development goals, including the Millennium Development Goals, and those developments will likely slow down, if not reverse, the decline in levels of poverty between 1981 and 2005. In some cases, gains made in the other Millennium Development Goals might also be reversed. To compound the situation, the flow of official development assistance (ODA) from industrialized countries to developing countries will also likely slacken. Debt relief efforts are also likely to slow down despite pledges made by leaders of the Group of 20 meeting in London in April 2009 to restore growth and jobs in all countries, including the poorest countries and emerging markets.

7. Consequently, many households now face a wide array of everyday basic concerns — from lack of adequate income to meet basic household consumption needs, such as food and shelter, to the inability to pay for children's schooling. Many of these households are on the brink of medical and financial ruin because many of them have lost employer-provided health insurance schemes. Therefore, if left unattended, crises of this nature are likely to lock poor people and their families

[1] World economic situation and prospects as of mid-2009. Economic and Social Council substantive session of 2009, Geneva, 6-31 July 2009.

in long-term intergenerational poverty traps as they draw down household assets. These crises also undermine prospects for future growth by weakening the human resource base of countries through underinvestments in children's schooling, nutrition and health care.

8. The overview begins by considering global and regional poverty trends over the period 1981-2005 (sect. II).[2] It continues with a description of macroeconomic policies and their effect on growth and poverty reduction (sect. III). This is followed by an examination of some labour market policies and other social policies and their efficacy in reducing poverty (sect. IV). The final section proposes a number of policy recommendations in the fight against poverty (sect. V).

II. Progress in poverty reduction, 1981-2005

9. The depth and severity of extreme income poverty have declined significantly over the last 20 years in the developing world. The number of people living on less than $1.25 a day has declined from a high of 1.9 billion in 1981 to a low of 1.4 billion in 2005. In relative terms, the percentage of people living in extreme poverty dropped from 39.8 per cent to 28.2 per cent during that period.

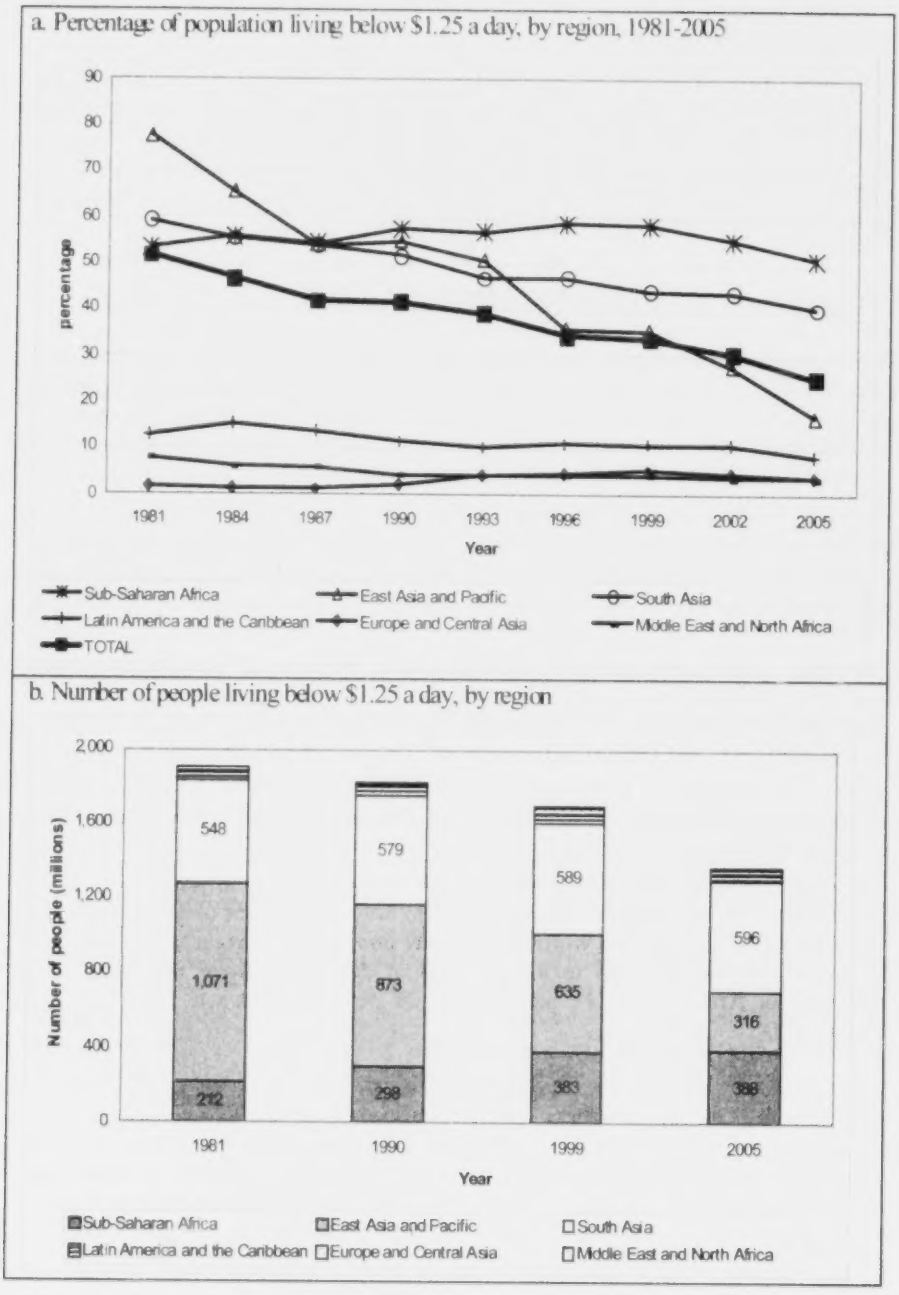
10. The absolute number of people living in extreme poverty fell in spite of the continued growth of the world's population. Despite continued growth in the global population as well as the population of less developed regions, the absolute number of people living below the poverty line was on the decline over the period from 1981-2005.

11. The number of people living on less than $1.25 declined fastest between 1999 and 2005. As shown in figure 1a, poverty declined in all regions between 1981 and 2005 but Eastern Europe and Central Asia, where the percentage of people living on less than $1.25 a day increased from 1.7 per cent to 3.7 per cent between 1981 and 2005. However, poverty rates remain very high in sub-Saharan Africa and South and Western Asia. Therefore, the distribution of poor people within and across regions has changed.

12. While 57 per cent of the world's extreme poor lived in East Asia and the Pacific in 1981, those countries were home to only 23 per cent of all poor in 2005. In contrast, the share of the world's extremely poor people increased in South Asia, from 29 per cent in 1981 to 43 per cent in 2005, and more than doubled in sub-Saharan Africa, from 11 per cent to 28 per cent between 1981 and 2005 (figure 1b).

[2] Section II is based on the revised series of country-level poverty data issued by the World Bank in August 2008 following the findings of the 2005 International Comparison Program. These data are available on PovcalNet, a web-based interactive research tool that can be used to replicate Bank poverty estimates and test alternative assumptions, such as the poverty line or country groupings. Despite the existence of various criticisms, the World Bank's approach remains highly influential, and provides the reigning benchmark for discussions of the extent and trend of poverty globally, including in the United Nations system. Hence, the accuracy of what is known and discussed will continue to rely heavily on the accuracy of the poverty estimates generated by the World Bank.

Figure 1. Global and regional trends in extreme poverty



13. The changing regional picture of the distribution of poverty also reflects broad changes in economic performance. These poverty and population dynamics have occurred in the midst of an expanding global economy, which has resulted, on average, not only in higher per capita incomes in both developed and developing countries, but also in wider income gaps between rich and poor countries.

14. Since the 1960s, gross domestic product (GDP) in low-income countries grew at an average of 4.1 per cent per annum, while the GDP in middle-income and high-income countries grew at averages of 4.2 and 3.2 per cent per annum, respectively.[3] There is little doubt that strong economic growth in East Asia, particularly in China, has been an important factor in the dramatic decrease in poverty. Africa has also experienced significant economic growth in recent years — real GDP growth rate averaged 5.8 per cent in 2007, rising from 5.7 per cent in 2006, 5.3 per cent in 2005 and 5.2 per cent in 2004.[4] This strong rate of economic growth in the half decade offered much hope of reducing the levels of extreme poverty before the current economic crisis dashed such hopes.

15. With regard to the goal of halving poverty by 2015, East Asia and the Pacific is the only region that has already attained the Millennium Development Goals. Other regions on track to meet the goal before this crisis were Eastern Europe and Central Asia, Latin America and the Caribbean and the Middle East and North Africa. In contrast, the ability to halve poverty remains a major concern in South Asia and sub-Saharan Africa.

16. Contrary to trends in developing countries, trends in poverty in the European Union and in other countries of the Organization for Economic Cooperation and Development (OECD) reveal modest changes in overall poverty over the long run. However, poverty levels have increased in the recent past.

17. With the poverty threshold defined as 60 per cent of their country's median income, 72 million (16 per cent) of the European Union's citizens were at risk of falling into poverty in 2006. According to 2001 estimates, more than half of all people in low income households in the European Union lived at a persistent risk of falling into poverty. One in five people in Europe lives in substandard housing and 10 per cent live in households where nobody works.[5] The unemployed are especially prone to poverty, but people in employment are increasingly at risk of poverty as well.

18. Although levels of poverty are generally low in OECD countries, the structure of poverty has shifted and has introduced greater poverty risks among certain groups. Over the past 20 years, poverty has increased most among families with children, single parents and young adults in OECD countries. In 2005, children and young adults had poverty rates about 25 per cent above the average, while they were close to and below that average, respectively, in 1985. Poverty rates are three times higher than the average among households with children; for single-parent families, they exceed 40 per cent in one third of OECD countries. In contrast, poverty among older persons has fallen as a result of public cash benefits and household taxes.[6]

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[3] Poverty in the Middle East and North Africa. Sector Brief (World Bank, 2004).

[4] *Economic Report on Africa 2008: Africa and the Monterrey Consensus: Tracking Performance and Progress* (Addis Ababa, Economic Commission for Africa, 2008).

[5] *Modernizing social protection for greater social justice and economic cohesion: Taking forward the active inclusion of people furthest from the labour market* (Brussels, Commission of the European Community, 2007).

[6] *Growing Unequal? Income distribution and poverty in OECD countries* (OECD, Paris, 2008).

The World Bank's one dollar-a-day poverty line

The dollar-a-day poverty line introduced by the World Bank is the most widely used measure of poverty. The purpose underlying the World Bank initiative is to be able to compare poverty levels and trends over time and across countries on the basis of a common definition. Can this purpose be pursued effectively?

The dollar-a-day poverty line originates from the purchasing power parity exchange rates generated by the International Comparison Project. The purchasing power parities were used first to construct a so-called average poverty line for a group of countries for which the International Comparison Project provided information, and then to convert that common line into national currencies to estimate the incidence of poverty using national distributional data. The project has produced three rounds of estimates: (1) in 1985, when the International Comparison Project covered 22 countries, with the $1 per person per day poverty line; (2) in 2000-01 when the estimates were revised using the purchasing power parity exchange rates of the International Comparison Project 1993 round with a poverty line of $1.08 per person per day; and (3) the new estimates using the International Comparison Project 2005 purchasing power parities with a poverty line raised to $1.25 per person per day. Each subsequent round leads to a re-estimation of the incidence of poverty. According to the last round, 1.4 billion people lived below the international poverty line in 2005 or close to 500 million more than previously estimated.

These estimates have been widely publicized, even though they have many shortcomings. Focusing on the last round, there are several persisting or new problems that can be singled out for criticism.

The main problem concerns the intrinsic worth of the poverty line as a meaningful representation of poverty. There is evidence to suggest that the poverty lines underestimate the actual extent of poverty. In the new round, the new World Bank line of $1.25 per person per day has been based on the average poverty line for the poorest 15 countries. Alternatively, the Asian Development Bank chose to base its estimates on the poverty line of the median country in the sample and arrived at significantly higher numbers of people in poverty for countries such as India. Further, the new World Bank line is not based on the United States rate of inflation. Had United States inflation been taken into account, then the original $1.08 would have become $1.45 for 2005, with obvious implications for the corresponding estimates of the numbers of persons in poverty, and hence for the achievement of the Millennium Development Goal poverty target by 2015.

The prevalence of poverty would be higher, if other aspects of deprivation — beyond income — were taken into account. This calls into serious question the usefulness of approaches to poverty reduction that focus on "poor people" identified by the dollar-a-day measurement. A more encompassing approach should be adopted towards provision of

essential social services such as basic health care and primary education, safe water and sanitation, and basic social protection. Also, poverty reduction strategies should be developmentally oriented to promote structural transformations that will generate decent work opportunities for all.

Multidimensional poverty[7]

19. Although income poverty is the most commonly used indicator of well-being, with the $1.00 or $1.25 a day poverty line getting the most attention, there is much more to poverty than income deficiencies. This measure does not capture various other forms of deprivation, including the fulfilment of various social and economic rights. Hence, this measure is now widely seen as an inadequate indicator of actual conditions of life (see Box). The concept of human poverty is wider and many of its elements include poor nutrition and health, low levels of educational attainment, poor or inadequate shelter, lack of voice, lack of access to basic services, such as roads, clinics, and decent employment opportunities, and inadequate property and citizenship rights.

20. Hence, poverty should be viewed as deprivation or lack of basic capabilities rather than merely as low income. This is not to say that more severe cases of deprivation of capabilities are not associated with lack of income. Indeed, it is more likely that individuals experiencing income shortfalls for long periods of time are more likely to lack adequate food, shelter, education and health.

Growing inequality

21. When addressing poverty eradication, growing inequality cannot be ignored. The income gap between the richest and poorest countries has widened significantly since 1980, a period that marked the beginning of the era of rapid globalization. However, rapid per capital income growth in China has tended to lessen inequality between countries. But without China and India, global inequality, measured by Gini coefficient, rose from 47 per cent in 1980 to close to 53 per cent in 2000.[8] Within-country income inequalities also increased in a majority of countries during this period: between the early 1980s and 2005, income inequality rose in 59 out of 114 countries for which data are available and declined in 40 of those countries.[9]

III. The economic environment for poverty reduction

22. Poverty reduction, or lack thereof, always occurs within a macroeconomic context. Economic growth and structural change are necessary for sustained poverty reduction. To enhance the poverty reducing effects of growth and structural change, the economic transformation process must address inequality and the exclusion of

[7] Although multidimensional approaches are increasingly if not widely recognized, there is less agreement on appropriate and adequate measurement as well as policy responses.

[8] Albert Berry and John Serieux, *Riding the Elephants: The Evolution of World Economic Growth and Income Distribution at the End of the Twentieth Century (1980-2000)* (DESA Working Paper No. 27, ST/ESA/2006/DWP/27, September 2006).

[9] World Bank, PovcalNet, accessed 8 June 2008.

poor and disadvantaged groups. For sustained reductions in poverty, the focus should also extend to productivity growth and employment creation. Furthermore, the macroeconomic policy framework often sets the parameters for social policies by defining the policy space for government action.

23. Macroeconomic policies affect economic growth and the distribution of the benefits of such growth. Countries that adopted stabilization measures and structural adjustment programmes experienced declines in average economic growth and increases in inequality and poverty during the 1980s and/or the 1990s, especially in Africa and Latin America.

24. In general, macroeconomic stabilization measures led to declines in public investment and increased the volatility of economic growth and employment. Reductions in public investment in health, education and other social programmes disproportionately affected poor people. Poor people were also affected by increased output volatility, especially since unskilled workers are the first to lose their jobs, and because job recovery lags behind output recovery.

25. In addition, since the private sector did not increase infrastructure investment, as had been expected, several countries experienced significant shortfalls in infrastructure. The agricultural sector suffered most from this inadequacy.

26. Macroeconomic policies should strive for both short-run stability and long-term development. Public investment for building up infrastructure, technological capabilities and human resources is critical for growth and employment generation, and hence, for poverty reduction. Therefore, stabilization needs to be defined more broadly to include stability of the real economy, with reduced fluctuations of output, investment, employment and incomes. This may require larger fiscal deficits and higher rates of inflation than prescribed by conventional macroeconomic policy.

27. Broad-based stabilization policies that focus on the real economy can boost economic growth in several ways. They can respond better to sudden contractions in investment and output due to either external shocks or natural disasters, which can have negative dynamic effects on a country's growth path. In many developing countries, a large number of people remain vulnerable to poverty as they live just above the poverty line. A small shock can push them into poverty. Broad-based stabilization policies which recognize the right to decent employment of every able and willing citizen, and the direct link between jobs and poverty, can prevent increases in poverty.

28. In general, people living in poverty and those at risk of poverty are most vulnerable to fluctuations in income and employment. Broad-based stabilization policies that reduce such fluctuations and recognize the direct link between decent employment and poverty can greatly enhance the effects of economic growth on poverty reduction.

29. Owing to the volatile and generally pro-cyclical nature of aid and the increased vulnerability to shocks, there has to be a renewed commitment to domestic resource mobilization in developing countries. Such mobilization should be counter-cyclical by accumulating fiscal resources during boom periods and using such resources to finance expansionary policies or targeted interventions during downturns. However, most developing countries do not have the resources or the fiscal space to undertake

large-scale counter-cyclical measures — especially since many experienced significant reductions in revenues from trade following its liberalization.

30. Monetary and exchange rate policies should play a supportive role and accommodate the Government's need for development activities and counter-cyclical measures. Confidence of the private sector in macroeconomic policies rests more on the credibility of the Government's commitment to counter-cyclical measures and long-term development, rather than on having a fixed low-inflation target, as the former reduce uncertainty about future profit expectations.

31. In an open developing economy, the exchange rate regime has to be both stable and flexible. The stability of exchange rates is needed to support growth-promoting and poverty-reducing trade and structural change. The demand for flexibility comes from the need to have some degrees of freedom to manage trade and capital account shocks in order to minimize their adverse impacts on income, employment and poverty.

32. In addition to managing exchange rates, monetary authorities should also actively manage the capital account in order to enhance the Government's policy space. This will allow depreciation of the exchange rate and expansionary policies in response to external shocks, and thereby mitigate adverse impacts on poverty. A capital account can be open to equity flows, especially for foreign direct investment, but closed to volatile short-term flows or to excessive external borrowings by the private sector.

33. Besides being counter-cyclical, fiscal policies in developing countries should also be developmental and inclusive. In many developing countries, this will require explicitly addressing the needs of food security and agricultural development through rural banking and other inclusive finance initiatives. Governments should consider reintroducing specialized development banks, especially to promote employment-intensive small- and medium-size enterprises (SMEs) and agriculture. This may involve directed and subsidized credit as well as other pro-active financial policy initiatives.

34. In addition, private commercial banks can be required to comply with requirements to serve rural and other disadvantaged regions, agriculture, SMEs as well as disadvantaged social groups. Governments can consider a range of policy options and instruments to achieve such objectives. Asset-based reserve requirements can be an effective tool for creating incentives for banks to invest in socially productive assets. For example, the central bank could list a set of employment-generating investments; subsequently, lower reserve requirements would apply to loans for such investments than would be required for, say, buying stocks and shares.

35. Central banks can also take steps to create liquidity and risk-sharing institutions for loans to small businesses which show promise of generating employment, but do not have adequate access to the credit market. For example, central banks can provide financial and administrative support for asset-backed securities, which would make loans to small businesses and other employment-intensive activities, bundle these investments, and then sell them as securities on the open market. Furthermore, central banks can open a special discount window facility to offer credit, guarantee or discount facilities to

institutions that on-lend to firms and cooperatives engaged in employment-intensive activities.

36. There has also been an increasing tendency towards privatization of public enterprises. However, privatization has tended to ignore employment conditions and likely job losses, as they affect poverty. There should be adequate protection of employment as well as active labour market programmes in place. Similarly, provision of utilities should remain inclusive regardless of ownership. Public utilities, if privatized, must universally be required to serve disadvantaged groups and areas so as not to exacerbate poverty.

37. Also, the performance of public or state-owned enterprises should not be evaluated solely on the basis of bookkeeping "bottom lines" as they often have other objectives, such as employment creation or social protection. Employment in state-owned enterprises may be a better way of providing social security than social assistance payments from the point of view of self-esteem, learning by doing and reciprocal obligations.

38. Overall, macroeconomic policies must look beyond keeping inflation and fiscal deficits under control. They must aim at stabilizing the real economy and reducing fluctuations of output, investment, employment and income. Fiscal policy can play an important counter-cyclical role, if resources are accumulated during boom periods and used to fund expansionary policies or targeted interventions during downturns. Monetary policies can play a supportive role in accommodating counter-cyclical measures and development activities, especially if they are not limited to keeping inflation low, but include measures such as specialized credit regulation to promote employment and reduce poverty.

IV. Labour market and social policies for poverty reduction

Labour market policies

39. The promotion of full and productive employment was proclaimed as one of the three pillars of social development by the Copenhagen World Summit for Social Development in 1995. Thus, the centrality of productive employment and decent work for all to poverty reduction is widely recognized and accepted.[10]

40. Despite these pronouncements, the creation of productive and decent jobs has failed to receive the prominence it deserves on the development agenda over the past three decades. In fact, erosion of labour standards within economic liberalization programmes was condoned and in many cases promoted on the assumption that it would spur economic growth, and that, in turn, would lead to employment creation, as long as labour markets remain flexible.

41. However, increased labour market flexibility has instead often resulted in insecure work status, employment and income. This trend has been accompanied by increasing informalization of work, even in developed countries. Offshoring and outsourcing have also created a heightened sense of fear and insecurity among

[10] The 2005 World Summit renewed the commitment to taking national and international actions to promote full and productive employment. In 2008, a new employment target under Millennium Development Goal 1, Poverty reduction, was added

workers in industrial countries. Economic insecurity — and hence vulnerability to poverty — has increased for workers over the years, even during economic booms.

42. The global economic and financial crises have resulted in massive job losses. The ILO 2009 report on global employment trends estimates that, based on growth projections, the number of unemployed persons globally could rise by 20-50 million in 2009 as a result of the economic crisis. The global unemployment rate will rise above 7 per cent, bringing the total number of unemployed to 230 million. Consequently, an estimated 200 million workers could be pushed into extreme poverty,[11] particularly in developing countries where growth has been primarily export-led. Besides posing serious threats to social spending and social stability, given the long lag in employment recovery, this increase will, in all likelihood, erase the progress made over the last decade to reduce extreme poverty through the generation of decent work opportunities for all.

43. The informal economy has always been significant in developing countries, particularly in Latin America and sub-Saharan Africa. The failure of labour market deregulation to accelerate job creation in the formal sector has resulted in this sector accounting for the dominant share of employment in most developing countries. This has created a major challenge for these countries in their efforts to reduce poverty. Jobs in the informal economy are usually of low skill and low productivity, often pay below subsistence wages, have poor working conditions, and typically offer little or no legal or social protection. Although not everyone in the informal economy is poor, there is a high likelihood that the working poor are concentrated in the informal economy in low-productivity activities.

44. Job losses disproportionately affect poor people and those at risk of slipping into poverty. Therefore, active labour-market policies that focus on training programmes and employment services for displaced workers must be integral to a comprehensive social protection system. In the long term, active labour-market policies should aim to develop an education and training system that enhances the productive potential and employability of the workforce.

45. Public works programmes have developed into major policy instruments for employment creation in situations of high or chronic unemployment or in times of crises. These programmes aim to help poor people by providing them with paid employment to rebuild affected areas after a disaster or to create needed infrastructure that, in turn, enhances their welfare. The majority of these programmes are temporary, but a few offer employment-guarantee schemes that secure some minimum employment on an ongoing basis.

46. These programmes have enhanced the incomes of participants, while maintaining, improving or creating valuable infrastructure. However, few of these programmes provide sustainable employment opportunities. They rarely stimulate job-creation in the private sector or offer long-term solutions to unemployment or underemployment.

47. However, more universal and permanent employment guarantee schemes can be designed to avoid some of the problems. For example, a universal employment-guarantee scheme can provide full-time work (and part-time work if

[11] ILO, Report of the Director-General, *Tackling the global jobs crisis: Recovery through decent work policies* (International Labour Conference, 98th session 2009, Report I(A)).

desired), with no time limits, and paying a uniform wage to all workers.[12] A minimum wage becomes effective only in combination with a job guarantee. Therefore, the wage paid by employment-guarantee schemes can become the effective minimum or social wage.

48. Finally, such programmes could be added to existing social protection provisions to give workers who have lost their jobs more choices. By joining the programme, these workers can maintain their self-esteem and skill, and avoid joining the rank of the long-term unemployed. Thus, when the economy recovers, their access to better jobs becomes easier and the private sector has a pool of skilled workers ready for employment, without having to pay for retraining. The public sector benefits, too, as they bring in skills and experience from their earlier private sector jobs. This kind of programme for formal sector workers can be funded by levies (like unemployment insurance contributions) payable during boom time.

Social policies

49. Social protection refers to a group of policy measures and programmes that reduce poverty and vulnerability. They seek to protect society's more vulnerable members against livelihood shocks and risks, enhance the social status and rights of the marginalized, protect workers, and reduce people's exposure to risks associated with ill health, disability, old age or unemployment.

50. Social insurance and pension schemes seek to enable the working age population as well as older persons to smooth consumption over their lifetimes. Social insurance programmes can be either employment-based or universal. In developing countries, the proportion of poor households covered by employment-based social insurance is usually small, reflecting the dominance of informal labour markets. These programmes usually require beneficiaries to make at least partial contributions and pool risk.

51. Investments in education can play a key role in poverty reduction owing to its growth-promoting effects, although complementary demand-side policies are needed to ensure employment creation in order to realize the productivity-enhancing potential of education.

52. Progress by developing countries in the last decade on many education indicators has been impressive. However, serious gaps remain. There are important disparities in access to education between boys and girls, between children in rich and poor households and in urban and rural areas, among others. A significant number of children are still out of school and, in many countries the quality of education is still poor. Governments have so far failed to address persistent inequalities in education.

53. Improving the educational attainment of girls and women, in particular, can reduce poverty in many ways. Improvements in education among women typically increase their labour force participation rates and earnings. Women's education also confers intergenerational education benefits, since it is associated with lower levels of child and maternal mortality, and with higher levels of education among children. Female education reduces fertility rates, which in turn can increase labour force

[12] Hyman Minsky articulated such a proposal in the mid-1960s and mid-1980s. Hyman P. Minsky, *Stabilizing an Unstable Economy* (New Haven, CT, Yale University Press, 1986).

participation and earnings. The positive relationship between female education and earnings is, of course, contingent on labour market opportunities. In both developed and developing countries, labour market discrimination means that better education does not always translate into higher earnings for women.

54. Improvements in health have a positive effect on economic development as well. Recognizing the importance of investing in health, Governments and the private sector established a Global Fund to Fight AIDS, Tuberculosis and Malaria in 2002.

55. Increasing fiscal allocations for health will not be sufficient to help poor people improve their health and meet the internationally agreed health goals. Most health spending disproportionately benefits the better-off in society, and inequality in health has increased. Therefore, public health services are a key aspect of government services affecting the health of poor people. The critical issue will be how best to ensure that these services actually reach them.

56. Social integration policies also play an important role in poverty eradication. Various social groups, including women, older persons, persons with disabilities, and indigenous people, suffer multiple disadvantages and are generally more likely to suffer exclusion and live in poverty. Long-term exclusion may lead to chronic poverty. Hence, policies aiming at counteracting and preventing exclusion should be pursued at all levels. Socially transformative policies are needed so that the socially excluded and marginalized become part of the society they live in, and intergenerational poverty and exclusion are no longer prevalent.

57. Discrimination, often firmly embedded in social structures and cultural norms, lies at the core of deprivation. Thus, anti-discrimination policies and anti-poverty efforts are complementary and essential for successful social integration.

58. Legal recognition of rights does not necessarily lead to a reduction in inequalities in access to services. The promotion of equality of rights and opportunities for disadvantaged groups requires redistribution of resources to reduce disparities and advance both social inclusion and poverty reduction efforts. Carefully designed redistribution policies, promoting equal access to opportunities and improving income distribution are important for socially inclusive policies. Progressive taxation and increased social spending also address inequality.

59. Ensuring access to productive assets (land and capital) for excluded groups may help to combat poverty and promote inclusion. For instance, land reforms and land titling, particularly in agrarian societies, can benefit women, indigenous peoples and other minority groups.

60. The importance of participation for poverty reduction and social integration policies is based on the basic premise that people should be able to influence decisions that affect their lives. Poverty itself is a major barrier to participation, yet without promoting participation and inclusion, poverty reduction policies may simply never be properly implemented. Hence, it is important to remove barriers to participation and to promote active participation. Social inclusion is impossible to achieve without a high degree of political inclusion which entails democratic participation.

Poverty reduction programmes

61. As poverty levels have remained constant or increased despite economic growth in many countries, it has become clear that growth by itself does not reduce poverty, and macroeconomic recovery does not necessarily translate into significant social improvement. Consequently, Governments and development agencies have created or supported programmes to reduce poverty. Various poverty reduction programmes can now be found in most developing countries. They include such instruments as microfinance, conditional cash transfers and property rights.

62. The Global Microcredit Summit 2006 pledged to provide microfinance to 175 million poor households by 2015. Governments and development agencies support expanding microfinance institutions. Microfinance institutions often specifically target women, who account for the vast majority of clients. Traditional networks and peer reviews ensure creditworthiness, and loans are secured through joint liability.

63. However, microfinance alone cannot eradicate poverty. There is a need to complement microfinance to reduce poverty. Some microfinance institutions and non-governmental organizations are, therefore, offering training to build management and entrepreneurial skills. Furthermore, without a supportive macroeconomic, trade and industry policy framework, micro-enterprises will remain very small, with few backward or forward linkages or employment creation possibilities.

64. Still, microfinance has helped poor people maintain their consumption level during periods of cyclical downturns or unexpected crises. This positive role of microfinance should not be dismissed altogether. If consumption or expenditure smoothing means parents can send their children to school, buy essential medications, and maintain the nutritional intake of their children, then microfinance is likely to have positive long-term impacts on productivity and hence, for poverty reduction.

65. Conditional cash transfers have recently become a widely used form of social protection in developing countries. Conditional cash transfers are cash grants provided to poor and disadvantaged people on condition that they make specific commitments, such as sending their children to school and having regular health check-ups. Conditional cash transfers are therefore often designed as a mix of cash transfers and service provision, emphasizing strong linkages with the labour market and intra-household responsibilities.

66. A contentious issue relating to conditional cash transfers is the desirability of imposing conditions. Conditioning transfers is supposed to induce desirable changes in behaviour. Conditioning can also work to overcome information asymmetries. For instance, Governments may better understand the benefits of immunization, and a conditional cash transfer programme that requires immunization can overcome this asymmetry. Conditional cash transfers may also strengthen the bargaining position of women, whose preferences are better aligned with those of the Government, but who may lack bargaining power within the household. Conditions also help make the transfers more acceptable to the average taxpayer.

67. However, there is a significant cost in monitoring behaviour, and many developing countries lack the administrative capacity to monitor adequately. Furthermore, some poor families may find it difficult to meet conditions owing to

the lack of easily accessible health services or schools. Generally, conditional cash transfers target households only with school-age children, which means that impoverished households without school-age children will be excluded.

68. Given some of the problems associated with conditionality and targeting, the question of whether direct cash grants to the poor should be universal and/or unconditional has been raised. Unconditional cash grants are increasingly used to limit acute poverty and hardship in emergency situations. These programmes are typically used together with aid in kind, such as food aid, but go beyond the immediate consumption goals of commodity transfers and aim to enhance livelihoods and longer-term incomes.

69. In case of emergency, it is possible to have universal cash transfer schemes such as a basic income grant with no conditions. Critics of such programmes argue that a basic income grant reduces total employment in an economy by reducing labour supply and the willingness to work by raising the acceptable wage floor. However, in developing countries, the availability of basic income grants may increase both productivity and labour demand. This can occur, for example, if income grants reduce the need for workers to send remittances to their families, thus increasing the wage available for their own consumption, or for skill upgrading.

70. There are strong links between poverty and lack of property, as people living in poverty not only lack income, but are also without the assets needed to generate income. Land is a critical asset, particularly for the rural poor, as it provides a means of livelihood, and the landless are often among the world's poorest. There are also indications that land ownership increases investment in the education of children, and hence can help reduce intergenerational poverty.

71. Land can also be used as collateral for loans for investment, or sold to raise capital to invest in an income-generating activity. This has led to campaigns to title land to urban slum-dwellers living on land not owned by them.

72. Yet, formalizing land titles suffers from similar limitations as microfinance. In the absence of an expanding economy, new land-owners will not be able to expand their capabilities. They often lack education and entrepreneurial skills to undertake business activities with borrowed money. They are risk-averse and more worried about failing, and hence losing their asset (land) used as collateral. Poverty itself is a barrier to risk-taking and enterprise.

73. Overall, in several developing countries, the per capita levels of social sector funding still remain below the levels attained in the 1970s. Both quality and, to a lesser extent, coverage have not improved at the predicted pace, and, in some countries, the already inadequate social infrastructure in areas such as health and education has further deteriorated. A main conclusion for future efforts is that, notwithstanding the benefits of improving the efficiency of social policy, a higher political weight should be given to the consequences of reducing the public financing of the social sector.

V. Policy recommendations

74. The challenges ahead for poverty reduction are numerous and difficult, and are made more intense by the global economic crisis. It is imperative that the gravity of this crisis leads to a serious rethinking of policy approaches that have dominated the

discourse on growth and poverty up to now. Alternative analysis that prioritize the need for structural transformation that brings about the sustained growth of real output, employment and incomes and promotes inclusive development which benefits poor people must be advanced and expanded upon.

75. As the line between poor and non-poor people is becoming less clear and less significant, the economic crisis is a reminder that poverty is not an attribute of a set group of individuals but rather a situation that everyone is at risk to experience at some point in their lives. Rather than waiting for economic recovery before focusing attention on poor people, it would be wise to formulate policies and allocate resources to ensure the basic well-being of all individuals, those already experiencing poverty and those at risk of experiencing it, as a strategy to stimulate recovery. Ensuring that the world's people are healthy, educated, and well housed and fed is essential so that they can be productive and contribute to making the economic recovery a reality. Therefore, the approach to poverty reduction should be developmental and holistic, integrating economic and social policies to achieve people-centred development outcomes.

76. Macroeconomic policies must look beyond keeping inflation and fiscal deficits under control. They must aim at stabilizing the real economy and reducing fluctuations of output, investment, employment and income. They should strive for both short-run stability and long-term development. Fiscal as well as monetary policies can play an important counter-cyclical role to support public investment for building infrastructure, technological capabilities and human resources. Such investment is critical for growth and productive employment generation, and hence, for poverty reduction.

77. Social policy should act on the structural determinants of wealth and income distribution and poverty, especially education and employment. These factors are the key to breaking the intergenerational transmission of inequality and poverty. The scope of social policy is multiple. Without detracting from other efforts on the social front, an equality-promoting emphasis should be placed on growth strategy, programmes and policies that affect human resources, employment and social protection.

78. Social policy should not be seen as a set of ameliorative measures to correct for market and institutional failures and to temporarily manage household risk of the poor. Instead, it should involve the provision of basic needs and public goods which remains primarily the responsibility of the State. Inclusive development cannot be achieved when this provision is inadequate, uncoordinated and piecemeal.

79. Labour income is the main source of revenue for poor people. To that extent, human resource development, job creation and improvement of the quality of employment are key issues for sustainable poverty alleviation.

80. Experience in many countries shows that decent work is central to inclusive growth that leads to poverty reduction. The promotion of full and productive employment and decent work for all should be an objective of macroeconomic policy. This will help to ensure consistency and coherence between economic and social policies. It will also lead to more equitable distribution of the benefits of economic growth, thus reducing both inequality and poverty.

81. Therefore, an employment strategy aimed at promoting decent work under conditions of equality, security and dignity should be a fundamental component of

any development strategy, and must be oriented to include employment creation in macroeconomic policy. Such a strategy also requires employment impact analysis as a basic criterion for macroeconomic policy and for policy decisions adopted in other areas. Furthermore, it calls for adopting specific measures to incorporate the informal sector in social protection programmes and for establishing incentive structures that promote employment creation by directing investment to sectors that are productive and labour-intensive, with a focus on promoting small- and medium-sized enterprises.

82. There has also been an increasing tendency towards privatization of public enterprises. However, privatization must not ignore employment conditions and likely job losses, as they affect poverty, especially of the working poor. There should be adequate protection of employment conditions as well as active labour market programmes in place. Similarly, provision of utilities must remain inclusive regardless of ownership. Public utilities, if privatized, must be required to ensure adequate service provisions to disadvantaged groups and areas.

83. The development of human resources is a key component of a comprehensive development strategy, since it has a simultaneous impact on inequality, poverty reduction, growth and social and political integration. Public social expenditures are critical in supporting investment in human resources. Public social expenditures should be safeguarded, even increased in the current crisis to protect investment in human resources. This should also be incorporated into stimulus packages and international support to low-income developing countries.

84. In particular, policymakers should seek to ensure channelling enough funding to promote development of human resources, especially in education and health. To the extent that there is a correlation between prior disparities in these areas and current income disparities, both within and between countries, developing economies should make it a priority to increase the contribution of public resources to health and education, coupled with efforts to improve quality of services.

85. A different, but no less important dimension of human resources development is that of training programmes. The need for competitiveness in a global economy, along with the rapid development of technological innovation, calls for quick and significant changes in manpower training. Therefore, a large-scale effort should be made to provide individuals with the up-to-date knowledge and skills they need in order to be competitive on the labour market.

86. Improved social protection systems are also key elements of an integrated approach to eradicating poverty and improving equity. These systems should provide universal coverage and cover basic risks, particularly health, ageing and unemployment, in an integral package.

87. The development of affordable and appropriate social protection institutions is essential to reassure disadvantaged groups that the negative consequences of economic reforms and downswings in activity will not fall disproportionately on them. Such social protection systems should be designed on a permanent institutional basis, so as to be able to respond quickly when a crisis strikes. They should not be viewed, however, as a substitute for basic social policy. Their financing during crises should thus not crowd out spending on human resources or on more permanent schemes of social protection. Moreover, with time, they should evolve into elements of a more permanent social security system.

88. Nonetheless, the usual way in which the notion of social protection is applied falls very much in the category of "add-ons" to macroeconomic policies. Thus, social protection measures and targeted transfer programmes are seen as important means of softening the adverse short-term effects of crises and ensuring political support for reforms designed to achieve macroeconomic stability and remove impediments to long-term growth. Such views of social policy as an appendix to macroeconomic policy are inconsistent with the integrated policy framework that should be the basis for well-designed social and economic strategies.

89. Basic social protection for all is a must in an era of increased economic insecurity due to globalization and accompanying informalization and casualization trends in the labour market. The current global crises and the impact on workers in developed and developing countries alike further underscores the importance of providing a social protection floor for poor people as well as the non-poor. For people living in poverty, some basic social protection extended to them will help to avoid falling deeper into poverty; for the non-poor, this will reduce their vulnerability to poverty.

90. Extending basic social protection to all should be a component of all stimulus packages. In the short-term, benefits will allow people who need assistance the most to support their consumption, generating much-needed demand during economic recession; in the long run, social investment in human resources (nutrition, health and education) will strengthen future growth.

91. With rising inequality, promoting social integration will become more elusive. Social cohesion and solidarity are fundamental conditions of development and social progress, and efforts to develop and reinforce institutions and mechanisms encouraging social integration must be sustained. A well-educated, healthy, suitably employed, socially protected citizenry contributes to the social cohesion of a country and imparts dynamism to all aspects of life and culture. By promoting inclusion and reducing deprivation, social development strengthens democratic institutions and processes, makes social and economic relations more harmonious, and provides a firm foundation for achieving long-term development and prosperity.

92. Finally, reducing poverty requires efforts not only at the national level but also an explicit commitment of the international community, in terms of accepting, promoting and demanding that priority be given to more effective social investment efforts to promote solidarity and equity. In the case of the richest countries, such commitment should also be reflected in the channelling of aid, in accordance with the internationally agreed target of 0.7 per cent of gross national product, and in opening up markets to products from developing countries.

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Promotion and protection of human rights: human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms

Elimination of all forms of religious intolerance

Note by the Secretary-General

The Secretary-General has the honour to transmit to the members of the General Assembly the interim report of the Special Rapporteur on freedom of religion or belief, Asma Jahangir, submitted in accordance with General Assembly resolution 63/181.

* A/64/150.

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Interim report of the Special Rapporteur on freedom of religion or belief

Summary

The Special Rapporteur on freedom of religion or belief submits the present report to the General Assembly pursuant to its resolution 63/181. In the report, she provides a brief overview of general patterns arising out of the mandate and further issues of concern.

The Special Rapporteur then focuses on persons in vulnerable situations, including persons deprived of their liberty, refugees, asylum-seekers and internally displaced persons, children, persons belonging to national or ethnic, religious and linguistic minorities and migrants, as regards their ability to freely exercise their right to freedom of religion or belief.

The Special Rapporteur gives an overview of the activities carried out under the mandate since the submission of her previous report to the General Assembly, including communications with Governments, country visits and participation in conferences and meetings, as well as application of a gender perspective in the reporting process.

The Special Rapporteur sets out a number of conclusions and recommendations, especially with regard to the protection of the right to freedom of religion or belief and to the prevention of related discrimination and intolerance. She emphasizes the importance of detecting early signs of intolerance that may not be human rights violations themselves, but that may ultimately lead to discrimination based on religion or belief.

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I. Introduction

1. The mandate of the Special Rapporteur on freedom of religion or belief was created by the Commission on Human Rights in its resolution 1986/20.[1] In its resolution 6/37,[2] the Human Rights Council concludes that there is a need for the continued contribution of the Special Rapporteur to the protection, promotion and universal implementation of the right to freedom of religion or belief and decides therefore to extend the mandate of the Special Rapporteur for a further period of three years. The General Assembly, in its resolution 63/181, requests the Special Rapporteur to submit an interim report to the General Assembly at its sixty-fourth session and decides to consider the question of the elimination of all forms of religious intolerance at its sixty-fourth session under the item entitled "Promotion and protection of human rights".

2. The Special Rapporteur has outlined the terms of reference, methods of work and legal framework of her mandate in previous reports to the Commission on Human Rights, the General Assembly and the Human Rights Council.[3] She continuously identifies areas of concern and methods of work in order to effectively fulfil her mandate. The Special Rapporteur would like to highlight that the mandate addresses the right of individuals to freedom of religion or belief; however, the specificity of the mandate often requires her to deal also with the collective rights of religious or belief communities. The relationship between the State and religious communities is complex and the Special Rapporteur addresses this issue in various situations and circumstances. In this regard, she recognizes, on the one hand, the difficulties faced by Governments to stay neutral, and, on the other hand, the obligation to intervene when acts or omissions by religious or belief communities violate the fundamental rights and freedoms of others. The Special Rapporteur would like to emphasize the fundamental obligations of Governments towards freedom of religion or belief, for example with regard to equality and non-discrimination. States should also devise proactive strategies to safeguard individuals and religious or belief communities against discrimination based on religion or belief. In addition, States are obliged to prohibit by law any advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence.

3. The twenty-first century and the continued process of globalization pose a series of new challenges in the context of freedom of religion or belief. These challenges include, for example, the use of religious beliefs for political purposes and the dissemination of religious intolerance and stereotypes via new information technologies. Other contentious issues seem to be the emergence of new religious movements and the involvement of religious groups in the framework of humanitarian assistance in crisis situations. Against this background, the Special Rapporteur undertakes activities that may be articulated around the principles of prevention and protection. Prevention and protection play a crucial role in challenging religious intolerance, and both aspects will remain central to her mandate.

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[1] See *Official Records of the Economic and Social Council, 1986, Supplement No. 2* (E/1986/22), chap. II, sect. A.

[2] See *Official Records of the General Assembly, Sixty-third Session, Supplement No. 53* (A/63/53), chap. I, sect. A.

[3] See, for example, E/CN.4/2005/61, A/60/399 and A/HRC/10.8.

4. In the present report, the Special Rapporteur provides a brief overview of general patterns and issues of concern for her mandate (chapter II). She discusses the situation of persons in vulnerable situations as identified in General Assembly resolution 63/181 (chapter III). Furthermore, the Special Rapporteur gives an overview of the activities that have been carried out since her previous report to the General Assembly (chapter IV). She concludes by setting out a number of conclusions and recommendations, especially with regard to the situation of persons in vulnerable situations (chapter V).

II. Overview of patterns and issues of concern for the mandate

A. General patterns arising out of the mandate

5. The Special Rapporteur has identified various patterns of violations of the right to freedom of religion or belief, as well as Government initiatives that have constructively addressed intolerant religious practices. There are a number of common themes the Special Rapporteur would like to briefly highlight, based on country visits carried out by the mandate holders, allegation letters and urgent appeals sent to Governments, further information received from civil society organizations and continuous research by the mandate.

6. An evident general pattern adversely affects members of religious minorities who suffer from discrimination through policies, legislation and State practices, sometimes even leading to arbitrary detention and extrajudicial killings of individual members. Their vulnerable situation is aggravated when Governments target religious minorities by registering names and scrutinizing these individuals. In addition, violent acts or threats thereof are often perpetrated by non-State actors, either from different religious communities or from within the same community, without any adequate response from the State authorities.

7. Dissenting or simply dispassionate believers as well as non-believers also face inter-religious and intra-religious problems or are being marginalized. The Special Rapporteur would like to reiterate that theistic, atheistic and non-theistic believers, as well as those who do not profess any religion, have an important role to play in building pluralistic societies of the twenty-first century. She would like to highlight as a good practice the compilation of a reference guidebook to religious diversity which is designed to provide police members with information about the different religions and beliefs in a given country and explains in an accurate and unbiased manner the diversity and specificities of the different religious communities.

8. A number of vulnerable groups can be identified all over the world (see paragraphs 18-34 below). For example, many children have been indoctrinated with religious intolerance and are used by certain non-State actors to perpetrate violence on others or themselves in the name of religion. The Special Rapporteur is concerned at reports of preaching of religious hatred and the exploitation of children in a systematic and organized fashion for the ends of militant groups, which the State authorities seem to have overlooked for a long period of time. It is of utmost importance that States and educational institutions find more creative strategies to ensure that freedom of religion or belief is fully extended to all children and to

provide them with access to quality education that promotes tolerance, mutual understanding and respect.

9. Due to the very nature of new information technologies, such as blogs or online discussion sites, certain manifestations of religious intolerance have an additional global dimension. The Special Rapporteur has been made aware of numerous situations in which religious or belief communities have been the object of critical analyses ranging from a merely theological point of view to the most extreme forms of incitement to violence or hatred against members of a religious group. Such forms of expression are directed towards many religious and belief communities, regardless of their size or age. In this context, the Special Rapporteur has noticed that, while criticism of major religions attracts a lot of attention, numerous cases of incitement to violence against smaller religions can go relatively unnoticed.[4] She would like to reiterate that the right to freedom of religion or belief needs other human rights to be fully exercised, including the right to freedom of association or the right to freedom of expression.[5]

10. The Special Rapporteur has also received numerous allegations that national policies, legislation and practices which are designed to combat terrorism have had and continue to have adverse effects on the enjoyment of freedom of religion or belief worldwide. Some groups seem to be specifically targeted, such as migrants, asylum-seekers or members of particular national, racial or religious groups. While Governments are obliged to take effective measures to combat terrorism, the Special Rapporteur would like to underline that Governments must also ensure that counter-terrorism measures comply with their obligations under international law, in particular international human rights, refugee and humanitarian law.

11. Furthermore, another general pattern seems to be the targeting of places of worship and other religious buildings or properties. The Special Rapporteur is concerned about reports of frequent attacks on places of worship, the desecration of cemeteries and the exhumation of dead bodies. Attacks or other forms of restriction on places of worship in many cases violate the rights not only of a single believer, but also of a group of individuals forming the community that is attached to the place in question. The Special Rapporteur would like to refer to General Assembly resolution 55/254 on protection of religious sites, in which the Assembly encourages all States to promote a culture of tolerance and respect for the diversity of religions and for religious sites, which represent an important aspect of the collective heritage of humankind.

B. Further issues of concern for the mandate

12. The Special Rapporteur would like to highlight some further issues of concern for her mandate, which seem to be more prevalent in particular regions or countries even though they may not constitute common patterns worldwide. In this regard, the Human Rights Council in its resolution 6/37 has invited the Special Rapporteur to identify existing and emerging obstacles to the enjoyment of the right to freedom of religion or belief and present recommendations on ways and means to overcome such obstacles.

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[4] See A/HRC/2/3, para. 24.

[5] Ibid., para. 41.

13. In some States, domestic registration procedures for religious communities are applied in a discriminatory manner by the authorities, thus in practice limiting the right to freedom of religion or belief of members of certain religious communities. Such discriminatory registration procedures appear to be prevalent in several countries located in different regions, albeit the degree of the undue limitations on freedom of religion or belief may differ. The Special Rapporteur would like to reiterate that freedom of religion or belief is not limited to members of registered religious communities and that registration may only be appropriate for the acquisition of a legal personality and related benefits.

14. Furthermore, the Special Rapporteur has noticed a number of restrictions imposed on different forms of religious expression, for example on the wearing of distinctive clothing or head coverings. Freedom to manifest one's religion or beliefs may be subject to limitations; these, however, must be prescribed by law and necessary to protect public safety, order, health, morals or the fundamental rights and freedoms of others. The Special Rapporteur is concerned that, on the one hand, many believers in various parts of the world are prevented from identifying themselves through the display of religious symbols and that, on the other hand, people in different countries are required to display religious symbols in public. The fundamental objective should be to safeguard both the positive freedom of religion or belief, for example, the voluntary display of religious symbols, and also the negative freedom of not being forced to display religious symbols.

15. In addition, the Special Rapporteur is concerned about undue State interference in religious teaching and dissemination of relevant publications, for example when the authorities censor, monitor or even write sermons of religious leaders. Moreover, the freedom to train, appoint, elect or designate by succession appropriate leaders is curtailed in some countries, thus violating article 6 (g) of the 1981 Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief.

16. Conscientious objection to perform military service is another issue of concern in some States. The Special Rapporteur welcomes the fact that a growing number of States have in their laws exempted from compulsory military service citizens who genuinely hold religious or other beliefs that forbid the performance of military service and replaced compulsory military service with alternative national service. However, certain domestic legislation remains problematic in terms of the eligibility to and conditions of conscientious objection. The Special Rapporteur recommends a thorough review of these laws from the perspective of their compliance with international standards and best practices.

17. The discrimination or even persecution of individuals who have changed their religion is also an alarming problem in some countries, even though international human rights law provides that freedom of thought, conscience and religion includes freedom to change his religion or belief[6] and freedom to have or to adopt a religion or belief of his choice.[7] The Special Rapporteur would like to refer to general comment No. 22 (1993), in which the Human Rights Committee observed that the freedom to "have or to adopt" a religion or belief necessarily entailed the freedom to choose a religion or belief, including the right to replace one's current religion or

[6] Universal Declaration of Human Rights, article 18.

[7] International Covenant on Civil and Political Rights, article 18, para. 1.

belief with another or to adopt atheistic views, as well as the right to retain one's religion or belief.[8]

III. Situation of persons in vulnerable situations

18. In its resolution 63/181, the General Assembly recognizes with concern the situation of persons in vulnerable situations, including persons deprived of their liberty, refugees, asylum-seekers and internally displaced persons, children, persons belonging to national or ethnic, religious and linguistic minorities and migrants, as regards their ability to freely exercise their right to freedom of religion or belief. The Special Rapporteur would like to briefly analyse below the vulnerable situations of these persons in the context of her mandate.

A. Persons deprived of their liberty

19. In the past five years, the Special Rapporteur has received alarming reports about persons being arrested and detained because of their religious beliefs on the basis of discriminatory laws, denial of due process or a strong bias by law enforcement against religious minorities. She has also received worrying reports of alleged violations of the right to freedom of religion or belief of persons who are deprived of their liberty, who find themselves in a situation of enhanced vulnerability and can therefore be an easy target for harassment. The Special Rapporteur has detailed some situations reported under the mandate and the applicable international standards in her report to the General Assembly at its sixtieth session.[9]

20. The religious rights of persons deprived of their liberty must be fully respected and protected. There is a real risk that the circumstances of detention, as well as specific policies by prison authorities, may result in undue restrictions of the opportunity of detainees to practise their religion or belief in private or in public. The Human Rights Committee has stressed that persons already subject to certain legitimate constraints, such as prisoners, continue to enjoy their rights to manifest their religion or belief to the fullest extent compatible with the specific nature of the constraint.[10] Detainees should also be allowed access to qualified representatives of any religion, while they should not be obliged to consult a minister of religion if they do not wish to do so. Furthermore, the religious beliefs of a detainee should under no circumstances be used by the authorities against the detainee in order, for instance, to extract information from him or her.

21. Treating all persons deprived of their liberty with humanity and with respect for their dignity is a fundamental and universally applicable rule which must be applied without distinction of any kind, such as religion. The Special Rapporteur would like to emphasize that the dangers of discrimination, either in an institutionalized form or through discriminatory practices, become much greater in the closed conditions of a detention facility. The relevant authorities have a

[8] See *Official Records of the General Assembly, Forty-eighth Session, Supplement No. 40* (A/48/40), vol. I, annex VI, para. 5.

[9] See A/60/399, paras. 69-91.

[10] Ibid., para. 8.

responsibility to ensure that there is no discrimination against any prisoner or staff member belonging to a minority group. In order to prevent any potential abuse, States should ensure that detention facilities are the object of intense public scrutiny and put in place effective complaints mechanisms.

B. Refugees, asylum-seekers and internally displaced persons

22. The mandate has also reported about the vulnerable situation in terms of freedom of religion or belief of refugees, asylum-seekers and internally displaced persons, who have fled their homes or have been expelled from their own country.[11] The Special Rapporteur notes that whereas the refugee definition in the 1951 Convention relating to the Status of Refugees refers to "well-founded fear of being persecuted for reasons of [...] religion", the approaches taken seem to differ significantly in applying the term "religion" or when determining what constitutes "persecution" in this context. The Special Rapporteur has received reports indicating that some asylum adjudicators ask faith-testing questions with doubtful validity or limited justification. In this regard, the Special Rapporteur would like to remind that the risk of persecution is not necessarily dependent on detailed substantive knowledge of the applicant's religion because individuals may also find themselves persecuted for imputed religious beliefs.

23. The Special Rapporteur would like to emphasize that religion-based refugee claimants should not be expected by asylum adjudicators to hide their religion or to practise in secret in their countries of origin in order to avoid persecution. It is an integral part of the right to freedom of religion or belief to be able to manifest, publicly and in community with others, one's religion or belief in worship, observance, practice and teaching. The Special Rapporteur also shares the concerns that the concept of internal flight alternative can sometimes prove particularly problematic for religion-based asylum claims and might ultimately lead to undesirable segregation of religious groups in particular areas of the countries of origin.

24. Another particular problem in terms of freedom of religion or belief may arise for those persons who, after having arrived in the country where they are seeking asylum, convert to a religion which would make them prone to persecution in their country of origin if they were to be returned. In the assessment of such asylum applications, suspicions often arise regarding the sincerity and credibility of asylum claims. However, the Special Rapporteur would like to reiterate that such post-departure conversion should not give rise to a presumption that the claim is fabricated, and the immigration authorities should evaluate the genuineness of the conversion on a case-by-case basis taking into account the specific past and present circumstances of the applicant.

C. Children

25. Children are also vulnerable with regard to their right to freedom of religion or belief. The mandate has reported on various forms of discriminatory treatment which derive both from governmental actions and from incidents provoked by

[11] See A/62/280, paras. 38-63, A/62/280/Corr.1 and A/HRC/6/5, paras. 30-31.

non-State actors. The Special Rapporteur is concerned at the abuse and violence against children who are accused by their families of witchcraft. She has also been informed of a number of cases where children, especially girls, were allegedly abducted by members of a different religious community, forced into marriage and converted against their will to a different religion. In this regard, she would like to emphasize that no one shall be subject to coercion which would impair his or her freedom to have or to adopt a religion or belief of his or her choice,[12] and that the betrothal or marriage of a child shall have no legal effect.[13] As reaffirmed by article 3 of the Convention on the Rights of the Child, the best interests of the child shall be a primary consideration in all actions concerning children.

26. The rights of the child concerning freedom of religion or belief remain a complex issue, especially because they touch upon the position of the child but may also concern his or her parents or legal guardians as well as the religious communities involved. The right of the child to freedom of religion or belief is enshrined in article 14, paragraph 1, of the Convention on the Rights of the Child. The parental rights are immediately reaffirmed in article 14, paragraph 2, which requires States parties to respect the rights and duties of the parents and, when applicable, legal guardians, to provide direction to the child in the exercise of his or her right to freedom of thought, conscience and religion in a manner consistent with the evolving capacities of the child.

27. The Special Rapporteur would like to briefly analyse the concept of "evolving capacities" in the context of the child's right to freedom of religion or belief. Domestic legal provisions differ largely, for example with regard to the competency to decide when children can themselves be able to adopt a different religion or belief of their choice. In some countries, children who have not yet reached the age of 10 years may convert if both of their parents agree to conversion or if the competent court approves conversion upon the application of one of the parents. Some national laws feature staggered age limits, for example, that children who are older than 14 years may decide their religious affiliation for themselves and that a child from the age of 12 onwards cannot be educated under a different religion than previously against his or her will. Other laws set the age of 15 or 16 years as a legal threshold for reaching full religious maturity.

28. In this regard, the Special Rapporteur would like to caution against strict age limits which may not fully take into consideration the maturity and evolving capacities of the child in all cases. Such strict limits may lead to situations where a child is legally considered as mature while this is not yet the case, or where a truly mature child is denied his or her rights for some time. Consequently, the Special Rapporteur would advocate for a case-by-case approach according to the specific circumstances of each situation. This is also supported by article 12, paragraph 1, of the Convention on the Rights of the Child, which requests States parties to assure to the child who is capable of forming his or her own views the right to express those views freely in all matters affecting the child, the views of the child being given due weight in accordance with the age and maturity of the child.[14]

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[12] International Covenant on Civil and Political Rights, article 18, para. 2.

[13] Convention on the Elimination of All Forms of Discrimination against Women, article 16, para. 2.

[14] In this regard, see CRC/C/GC/12, paras. 17, 21, 29, 75 and 84.

D. Persons belonging to national or ethnic, religious and linguistic minorities

29. The mandate-holders' reports illustrate that persons belonging to national or ethnic, religious and linguistic minorities are in a vulnerable situation with regard to their right to freedom of religion or belief. The identity of many minorities is defined by various aspects, and several instances of discrimination, for example when based both on racial and on religious motives, are aggravated by the effects of these multiple identities. Religious minorities face various forms of discrimination, for example with regard to official registration procedures or undue limitations when disseminating materials and displaying religious symbols. Furthermore, some religious minorities are adversely affected by manifestations of intolerance, threats or acts of violence perpetrated by non-State actors, which are often tolerated or encouraged by the authorities.

30. The Special Rapporteur would like to remind that persons belonging to minorities have the right to profess and practise their own religion, in private and in public, freely and without interference or any form of discrimination, as well as the right to participate effectively in cultural, religious, social, economic and public life. When abuses against members of religious minorities are committed by non-State actors, the human rights obligations of States also consist in ensuring the free exercise of freedom of religion or belief and bringing the perpetrators of discriminatory or violent acts to justice. States should also take measures to create favourable conditions to enable persons belonging to minorities to express their characteristics and to develop their culture, language, religion, traditions and customs, except where specific practices are in violation of national law and contrary to international standards.[15] The outcome document of the Durban Review Conference also affirms that the existence and the national or ethnic, cultural, religious and linguistic identity of minorities shall be protected, and that the persons belonging to these minorities should be treated equally and enjoy human rights and fundamental freedoms without discrimination of any kind.[16]

31. In many States in different regions of the world, members of so-called non-traditional or new religious movements are the object of suspicion, both on administrative and societal levels, and some of them are subjected to serious limitations of their right to freedom of religion or belief. The Special Rapporteur would like to reiterate that the terms "religion" and "belief" are to be interpreted in a broad sense and that human rights protection is not limited to members of traditional religions or to religions and beliefs with institutional characteristics or practices analogous to those of traditional religions. The contents of a religion or belief should be defined by the worshippers themselves, while their freedom to manifest their religion or beliefs may be subject only to such limitations as are prescribed by law and are necessary to protect public safety, order, health, or morals or the fundamental rights and freedoms of others.

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[15] See Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities, article 4, para. 2.

[16] A/CONF.211/L.1, para. 82.

E. Migrants

32. In many countries all over the world, migrants are vulnerable to discrimination based on their religion or belief and face related prejudices on a societal level. The Durban Declaration explains that the situation of vulnerability in which migrants frequently find themselves is owing, inter alia, to their departure from their countries of origin and to the difficulties they encounter because of differences in language, customs and culture, as well as economic and social difficulties and obstacles to the return of migrants who are undocumented or in an irregular situation.[17] Various Special Rapporteurs have pointed to the discrimination against the children of migrants, for example with regard to their right to education as well as the absence of the promotion of freedom of religion or belief which hampers their capacity of integration and personal development.[18]

33. The Special Rapporteur would like to emphasize that all persons within a particular country, and not just the citizens of that country, have the right to freedom of religion or belief, including the manifestation of their religion or belief in worship, observance, practice and teaching. In her reports, the Special Rapporteur has pointed to practical limitations imposed on the freedom of migrants to manifest their religion or belief publicly, for example with regard to building places of worship, carrying out religious rituals openly or conducting missionary activities. She would like to recall that limitations on the right to manifest one's freedom of religion or belief must be prescribed by law and must be necessary to protect public safety, order, health, or morals or the fundamental rights and freedoms of others.

34. In her last report to the General Assembly, which focused on citizenship issues and religious discrimination in administrative procedures,[19] the Special Rapporteur emphasized that immigration policies and citizenship tests must not discriminate on the basis of the applicant's religious background. Together with other mandate holders, she also expressed concerns about the contents of questionnaires and interview guidelines used by domestic naturalization authorities. Finally, the Special Rapporteur highlighted that it would be contrary to the principle of non-discrimination to restrict citizenship to people with certain religious beliefs or to deny official documents based on the applicant's religious affiliation.

IV. Activities of the mandate

A. Communications

35. Since the establishment of the mandate in 1986, the Special Rapporteur has sent more than 1,180 allegation letters and urgent appeals to a total of 130 States. The communications sent by the Special Rapporteur between 1 December 2007 and 30 November 2008, as well as the replies received from Governments, are summarized in the latest communications report she submitted to the Human Rights Council.[20]

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[17] A/CONF.189/12, chap. I, Declaration, para. 50.

[18] E/CN.4/2002/73, para. 28.

[19] A/63/161, paras. 25-78.

[20] A/HRC/10/8/Add.1.

36. These communications to Governments and their replies have been a valuable tool for examining incidents and governmental actions that are incompatible with the provisions of the 1981 Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief. They have also proven useful for the identification of existing and emerging obstacles to the enjoyment of the right to freedom of religion or belief. Indeed, through information received and related communications sent to the Governments, the Special Rapporteur has been able to identify recurrent issues relating to her mandate and to initiate a constructive dialogue with the Governments concerned. In addition, she receives background information from individuals, civil society organizations and academic experts, which, even if they do not result in a communication to the Government, enable the mandate holder to study developments with regard to religious issues in different countries and regions.

37. Since her appointment in July 2004, the Special Rapporteur has sent more than 280 allegation letters and urgent appeals on a great variety of issues relating to freedom of religion or belief. Nonetheless, a number of recurrent issues have been identified over the past five years. These issues include: acts of harassment, arrests and physical attacks against members of religious minorities; obstacles to one's freedom to change or renounce a religion and penal sanctions imposed thereupon; destruction or desecration of places of worship; discrimination against members of religious minorities preventing them from manifesting their religion or belief; obstacles set up against the registration of certain religious or belief groups; the wearing of religious symbols; sanctions against conscientious objectors; the vulnerable situation of persons in detention with regard to their freedom of religion or belief; and national legislation or draft bills unduly restricting freedom of religion or belief. In general, the Special Rapporteur is concerned about the little progress achieved in all these areas over the past five years. She unfortunately continues to receive numerous worrying reports about violations of freedom of religion or belief in many countries and is particularly concerned about the trend indicating a rise in the number of laws or bills which aim at limiting the freedom of religion or belief of individuals and communities.

38. Most issues encountered in the mandate practice are also referred to in the Special Rapporteur's online digest of her framework for communications.[21] The Special Rapporteur regularly updates this online digest in order to illustrate the international human rights standards pertaining to freedom of religion or belief with pertinent excerpts of the reports since the inception of the mandate.

B. Country visits

39. Country missions constitute another important opportunity for the mandate holder to identify any existing or emerging obstacles to the enjoyment of the right to freedom of religion or belief, as the Special Rapporteur can engage directly with governmental and non-governmental representatives and obtain first-hand information. The Special Rapporteur would like to emphasize that during her missions, she experienced a very satisfactory level of cooperation from the

[21] Available online at www2.ohchr.org/english/issues/religion/standards.htm; see also E/CN.4/2006/5, annex.

Governments concerned and there was always a genuine dialogue aimed at strengthening the capacity of States to comply with their human rights obligations.

40. Since submitting her previous report,[22] the Special Rapporteur has conducted missions to Turkmenistan, the former Yugoslav Republic of Macedonia and Serbia, including a visit to Kosovo.[23] She provides an overview of the main issues which came up during these missions and indicates details of her forthcoming missions in paragraphs 41-50 below.

1. Mission to Turkmenistan

41. The Special Rapporteur carried out a country visit to Turkmenistan from 4 to 10 September 2008 at the invitation of the Government. In her mission report,[24] the Special Rapporteur referred to the high level of tolerance and the climate of religious harmony which prevailed at the societal level in Turkmenistan. However, she also emphasized that the mandate had received over the past eight years numerous reports of arrests, intimidation, harassment and restrictions on the religious activities of individuals and groups, allegedly perpetrated by the authorities. Although the situation has much improved since 2007, she highlighted that individuals and religious communities, both registered and unregistered, remained under close scrutiny and still faced a number of difficulties when manifesting their freedom of religion or belief. The Special Rapporteur remained concerned about the imposition of legal or policy restrictions by the authorities of Turkmenistan on registration, places of worship, religious material, religious education and proselytism.

42. In her conclusions and recommendations, the Special Rapporteur urged the Government to review the amended law of Turkmenistan on freedom of conscience and religious organizations so that it would no longer infringe on the rights of individuals and groups in their exercise of freedom of religion or belief. In particular, she recommended that the prohibition on unregistered religious activities and undue restrictions regarding religious material, education and attire be removed from the legislation. Similarly, the Government should ensure that religious communities did not encounter obstructions with regard to the building, opening, renting or use of places of worship. On conscientious objection, the Special Rapporteur recommended that the Government offer an alternative civilian service for those who refused to perform military service owing to their religious beliefs. She also urged the Government to initiate reforms in the judiciary, so as to offer effective legal means of redress and compensation for denial of freedom of religion or belief. In addition, she recommended that law enforcement officials and representatives of local authorities be provided with adequate training in order to raise awareness about international human rights standards, including on freedom of religion or belief.

43. In its reply letter of 1 April 2009, the Government of Turkmenistan indicated that it would be taking the Special Rapporteur's comments into consideration during the country's further reform process and the preparation of its periodic report to the

[22] A/63/161.

[23] All reference in the present report to "Kosovo", whether to the territory, institutions or population, should be understood in full compliance with United Nations Security Council resolution 1244 (1999) and without prejudice to the status of Kosovo.

[24] See A/HRC/10/8/Add.4.

Human Rights Committee. The Government stated that legislation in Turkmenistan was currently under reform, including legislation on religious organizations, in keeping with the new Constitution and the Special Rapporteur's recommendations. The presentation of the review of Turkmenistan's legislation on religious organizations, with the participation of international experts and representatives of relevant State bodies, was scheduled for the first half of 2009. Furthermore, the Government of Turkmenistan indicated that it was also taking steps to ensure that the right to freedom of thought, conscience and religion could be reconciled with compulsory military service by introducing alternative service within non-military structures of the Ministry of Defence, such as in medical and construction units.

2. Mission to the former Yugoslav Republic of Macedonia

44. At the end of her visit from 26 to 29 April 2009 to the former Yugoslav Republic of Macedonia, the Special Rapporteur noted the high level of tolerance in its multi-ethnic, multicultural and multi-religious society. She emphasized that the country's diversity was its strength and that the Government, too, had shown respect for freedom of religion or belief and religious diversity. In that regard, she welcomed the Government's initiative in organizing the World Conference on Dialogue among Religions and Civilizations in October 2007. The fact that the Government had issued a standing invitation to all the special procedures mandate holders showed its cooperation with the United Nations and openness to human rights monitoring.

45. At the same time, the Special Rapporteur referred to the perception of a number of her interlocutors that the two biggest registered religious communities in the country wielded considerable political influence, including with regard to the constitutional concept of separation of State and religion. In that regard, she referred to the considerable public debate triggered by a judgement of 15 April 2009 in which the Constitutional Court had struck down provisions on a subject in primary school that studied a particular religion, including rules according to which an adherent to that religion should behave. She noticed that the judgement did not in any way impinge upon the freedom to receive religious instruction outside of primary school teachings and she referred to the explanations provided by the Human Rights Committee in paragraph 6 of its general comment No. 22 (1993). With regard to the outrage expressed publicly by certain religious leaders and politicians against the judgement of the Constitutional Court, the Special Rapporteur emphasized that respect for an independent judiciary, which was able to adjudicate upon religious matters without fear or favour, was crucial for safeguarding freedom of religion or belief and ultimately for the functioning of democracy.

46. The Special Rapporteur also expressed her concerns on reports she had received regarding expressions of incitement to racial or religious hatred, thus contributing to a climate of intolerance and threatening the security of individuals in the former Yugoslav Republic of Macedonia. She emphasized that impunity in cases of incitement to religious hatred emboldened forces of bigotry and that the Government had a primary obligation to protect its citizens from acts of religious intolerance and discrimination. It needed the active support of civil society to create awareness on human rights issues, including freedom of religion or belief. An informed public opinion could promote tolerance and needed to be created through monitoring and advocacy of human rights. According to her experience throughout the mandate, legislation alone could not create an atmosphere of social harmony and

mutual trust. On the contrary, hasty legislation on matters of religious rights often could become contentious and there was the risk that it might lead to polarizing society along religious lines.

3. Mission to the Republic of Serbia, including visit to Kosovo

47. From 30 April to 8 May 2009, the Special Rapporteur conducted a mission to the Republic of Serbia, including a visit to Kosovo. The Special Rapporteur is well aware of the painful history of the whole Balkans region and the deep suffering of individuals and communities on account of violence, atrocities and wars. She notes that, regrettably, racism as well as undertones of religion contributed to the recent conflicts. The Special Rapporteur notices that the scars of these conflicts remain and yet there is a yearning by all communities for sustainable peace and reconciliation. She underlines that interfaith consultations at the grass-roots, national and regional levels are vital to promote understanding, tolerance and respect between and among the various communities.

48. Concerning the status of freedom of religion or belief in Serbia, the Special Rapporteur referred in a press briefing to her visiting some smaller municipalities, which were multi-ethnic, multi-religious and multilinguistic, where an atmosphere of religious tolerance seemed to flourish. At the same time, the Special Rapporteur voiced her concerns about the discriminatory effects of the 2006 law on churches and religious communities. In that regard, she expressed the hope that the Government, and in particular the Minister of Religion, would reflect on the legislation and, at a minimum, streamline the registration process so that all religious communities in the country that so desired could be registered. She emphasized that the distinction in the law between traditional and non-traditional religious communities translated into a number of questionable practices, for example with regard to religious instruction in schools and representation in public bodies. She also noticed that the voices of those individuals who did not profess any religion or who were dispassionate about religions were being marginalized. The media, too, had a responsibility to report in a balanced manner, providing an opportunity to present their points of view also to those who were painted as members of "dangerous cults" or "sects". In that regard, she also encouraged civil society to make more efforts to interact with the media and with mechanisms of media oversight.

49. With regard to the status of freedom of religion or belief in Kosovo, the Special Rapporteur in her press briefing pointed to the fact that the vast majority of the population was Muslim, mostly of Albanian ethnicity, who had suffered enormously, indeed as others, from the persecution of the Milošević regime in the 1990s. She stressed that healing came through justice rather than through revenge or reprisals. In that regard, the Special Rapporteur was disturbed by the reports of looting, arson attacks and violence against Serbian Orthodox believers and their religious sites in March 2004. Since her international and local interlocutors were unanimous that they had been caught by surprise in 2004 and had not seen any warning signs, the Special Rapporteur emphasized the importance of remaining vigilant in detecting any emerging religious tensions. One of the tools for promoting religious tolerance was a meaningful inter-religious and intra-religious dialogue, particularly in order to address contentious issues that religious leaders could resolve amicably through negotiations rather than confrontation. The Special Rapporteur underlined that the public position of religious leaders could have a

direct impact on their communities, affecting either positively or negatively the religious harmony in a given society. She also referred to disturbing indicators about rifts within the Muslim community in Kosovo, as well as to reports about threats and attacks on Muslim religious leaders for opposing radical religious approaches. The Special Rapporteur would like to reiterate that coercion and violence in the name of religion cannot be accepted and that she expects the relevant authorities to take swift action to counter this worrying trend.

4. Forthcoming missions

50. The Special Rapporteur is grateful that she has been invited by the Government of the Lao People's Democratic Republic and by the Government of the Republic of Chile to visit their countries. She intends to undertake these two country visits in November 2009 and January 2010, respectively. She is also grateful for the invitation letter the mandate recently received from the Government of Bangladesh. An updated list of the Special Rapporteur's pending requests to undertake country visits is available online on the website of the Office of the United Nations High Commissioner for Human Rights (OHCHR).[25]

C. Participation in conferences and meetings

51. The Special Rapporteur has held numerous formal and informal meetings with representatives of States, religious and belief communities as well as civil society organizations in order to reflect on the situation of freedom of religion or belief at the national and international levels. These meetings were mainly held during country visits or at United Nations Headquarters in New York and Geneva.

52. At the national level, she was invited to speak about the current situation of the right to freedom of religion or belief at the annual "Rassemblement pour les droits humains" organized by the Canton of Geneva on 6 October 2008. Furthermore, the Special Rapporteur delivered a public lecture at a conference on "Religions and religious freedom: human rights perspectives in the field of tension arising from mission and conversion", organized jointly by the German Commission for Justice and Peace and the Centre for Interreligious Studies at the University of Bamberg, Germany (18-20 February 2009).

53. At the international level, the Special Rapporteur was involved in the preparatory process leading up to the Durban Review Conference and the Conference itself. She addressed the Preparatory Committee at its second substantive session on 6 October 2008 and participated in a joint contribution with 13 other mandate-holders[26] in order to provide substantive input to the review process of the Durban Declaration and Programme of Action.

54. During the Durban Review Conference, the Special Rapporteur addressed the Main Committee on 23 April 2009. She regretted that eight years after the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, held in Durban, South Africa, her mandate continued to receive frequent and worrisome reports of religious intolerance and acts of violence against members of virtually all religious or belief communities. Of particular concern are

[25] See www2.ohchr.org/english/bodies/chr/special/visits.htm.

[26] A/CONF.211/PC/WG.1/5.

violations of the right of members of religious minorities to worship and carry out other religious activities without State registration or approval, and attacks on places of worship. Furthermore, the Special Rapporteur criticized counter-terrorism measures based on discriminatory profiling, which are implemented according to perceived religious affiliation.

55. During the Durban Review Conference, the Special Rapporteur also participated in a side event on freedom of expression and incitement to racial or religious hatred, organized by OHCHR on 22 April 2009. At that event, she made a joint statement[27] with the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression and the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance. The three Special Rapporteurs reaffirmed that the right to freedom of expression constituted an essential aspect of the right to freedom of religion or belief and therefore needed to be adequately protected in domestic legislation. The Special Rapporteurs believe that it is necessary to anchor the debate about limitations to freedom of expression in the relevant existing international legal framework, provided for by articles 19 and 20 of the International Covenant on Civil and Political Rights. From a legal perspective, each set of facts is particular and can only be assessed and adjudicated, whether by a judge or another impartial body, according to its own circumstances and taking into account the specific context. In conclusion, the three Special Rapporteurs reminded that the ultimate goal was to find the most effective ways to protect individuals against advocacy of hatred and violence by others. Legal responses, such as restrictions on freedom of expression alone, are far from being sufficient to bring about real changes in mindsets, perceptions and discourse. To tackle the root causes of intolerance, a much broader set of policy measures are necessary, for example in the areas of intercultural dialogue or education for tolerance and diversity. Furthermore, an open and democratic atmosphere is critical for building tolerant societies in matters of religious affairs.

56. The Special Rapporteur also took part in an expert seminar organized by OHCHR on freedom of expression and advocacy of religious hatred that constitutes incitement to discrimination, hostility or violence, held in Geneva on 2 and 3 October 2008.[28] She stressed that there was an obligation for States to act upon cases of advocacy of religious hatred that constitutes incitement to discrimination, hostility or violence. She emphasized the important role of the judiciary in providing legal redress and that each particular case should be adjudicated according to its specific circumstances. The Special Rapporteur cautioned against excessive or vague legislation on religious issues, which could create tensions and problems rather than solve them. In this regard, States have a delicate role to play and any legislation or policies designed to combat religious discrimination have to be all-inclusive, carefully crafted and implemented in a balanced manner to achieve their objectives. In conclusion, the Special Rapporteur affirmed that more consultation was needed, especially concerning the implementation of existing standards at the domestic level, and recommended that regional workshops be organized to explore this topic at the grass-roots levels.

[27] The full text of the joint statement by the three Special Rapporteurs is available online at www2.ohchr.org/english/issues/religion/docs/SRJointstatement22April09.pdf.

[28] See A/HRC/10/31/Add.3.

57. In the context of her mandate to identify existing and emerging obstacles to the enjoyment of the right to freedom of religion or belief, the Special Rapporteur contributed to a joint statement with seven other special procedures mandate-holders[29] at the OHCHR seminar on the prevention of genocide, held in Geneva on 21 January 2009. Reflecting on effective strategies to prevent genocide and other mass atrocities, the eight special procedures mandate-holders reaffirmed that due to their independence, field activities and access to Governments and civil society, they constituted a useful instrument to collate and analyse in-depth information on serious, massive and systematic violations of human rights. They can also provide recommendations to the concerned Governments and the international community on the steps to be taken to defuse tensions at an early stage. Through their reporting to the General Assembly and the Human Rights Council, the special procedures endeavour to contribute to a better understanding of and early warning on complex situations. While not all situations of tension and polarization along ethnic, racial, religious or national lines lead to genocide, it is nonetheless essential that early warning signs be constantly monitored so that timely responses can be devised.

58. Finally, the Special Rapporteur would like to briefly refer to the discussion of freedom of religion or belief in the ongoing universal periodic review process. During the five sessions of the universal periodic review which have been completed at the time of writing, covering so far 80 countries of the 192 Member States of the United Nations, religious issues were discussed during the review for 60 countries. This fact illustrates that matters of freedom of religion or belief are problematic in a large number of countries in different regions of the world and that the international community is actively engaged in pursuing these issues. The Special Rapporteur would like to emphasize that the universal periodic review provides a good opportunity to follow up on communications and country visits of mandate-holders and she intends to refer to the recommendations with regard to freedom of religion or belief contained in the reports of the universal periodic review.

D. Application of a gender perspective

59. In its resolution 6/37, the Human Rights Council invited the Special Rapporteur to continue to apply a gender perspective, inter alia, through the identification of gender-specific abuses, in the reporting process, including in information collection and in recommendations. Since 1996, relevant resolutions of the Commission on Human Rights and the Human Rights Council have also condemned acts motivated by religious intolerance in all its forms, including practices which violate the human rights of women and discriminate against women.

60. In the framework of the mandate and on the basis of the activities carried out since her appointment in July 2004, the Special Rapporteur has highlighted that many women suffer from aggravated discrimination, due to their religious, ethnic and sexual identities. Citizenship laws in a number of countries discriminate against women and their children because these regulations stipulate that mothers have fewer rights than fathers to transmit nationality. Discrimination and practices that are harmful to the health of women and girls are also applied within their religious

[29] See www2.ohchr.org/english/events/RuleofLaw/docs/SProceduresJointStatement.pdf; and A/HRC/10/25, paras. 44-51.

communities for reasons of religious traditions or those ascribed to religion. Furthermore, there have been reports of arrests, flogging, forced conversion and even murders targeted specifically at women in the context of intolerance based on religion or belief. Female members of minority religions also tend to be prone to become victims of rape and violence stirred up by organized groups.

61. The Special Rapporteur also notes with regret that women continue to be largely excluded from the decision-making process within most religious communities. This process is indeed usually a monopoly for men. In order to exercise their full human rights, women therefore have to negotiate with religious beliefs and traditional values, often within their own communities. Similarly, at a time when much emphasis is put on inter-religious dialogue, the absence of women's voices in that dialogue is striking. The work that must be carried out to redress the situation remains important and will require energy at all levels. In this context, the Special Rapporteur would like to refer to General Assembly resolution 63/181, in which the Assembly emphasizes the importance of a continued and strengthened dialogue among and within religions or beliefs, at all levels and with broader participation, including of women, to promote greater tolerance, respect and mutual understanding.

62. Another issue of concern is the number of reservations made by several States when ratifying human rights instruments, in particular the Convention on the Elimination of All Forms of Discrimination against Women, for example when referring to the incompatibility of some of its provisions with religiously inspired national legislation. In his study on freedom of religion or belief and the status of women from the viewpoint of religion and traditions,[30] the previous mandate-holder discussed this problem in more detail. With reference to this study, the Special Rapporteur is pleased to inform that, in line with Commission on Human Rights resolution 2004/36 and her recommendation,[31] the study will be available in all six official languages of the United Nations later in 2009.

63. The Special Rapporteur intends to continue devoting particular attention to discriminatory practices against women on the basis of their religion or belief. In this regard, she has sent joint communications with other special procedures mandate-holders and has included subchapters on the specific situation of women in recent country reports.[32]

V. Conclusions and recommendations

64. **In order to tackle religious intolerance, States must provide for non-discriminatory legislation and an independent and impartial judiciary, as well as a law enforcement which is sensitive to religious diversity. Once these conditions exist, other initiatives to promote tolerance, respect and understanding will be far more effective.**

65. **Universal human rights, including the right to freedom of religion or belief, apply to all human beings everywhere. However, the reports of the Special Rapporteur on freedom of religion or belief since 1986, as well as the**

[30] E/CN.4/2002/73/Add.2.

[31] See A/HRC/4/21, paras. 39 and 52.

[32] See A/HRC/4/21/Add.3; A/HRC/7/10/Add.2 and Add.3; A/HRC/10/8/Add.2 and Add.3.

above-mentioned examples (see paras. 18-34), illustrate the particular vulnerability of persons deprived of their liberty, refugees, asylum-seekers and internally displaced persons, children, persons belonging to national or ethnic, religious and linguistic minorities and migrants as regards their ability to freely exercise their right to freedom of religion or belief. Of course, not all persons belonging to one of the above-mentioned groups are subject to discrimination or intolerance based on their religion or belief. Yet, in order to address the particular vulnerability many of them are faced with, including with regard to their right to freedom of religion or belief, the Special Rapporteur would like to formulate the following recommendations.

66. With regard to persons deprived of their liberty, the Special Rapporteur would like to emphasize that it is crucial to provide the personnel of detention facilities with adequate training and raise their awareness about the duty to promote and respect international human rights standards for the treatment of detainees, in particular with regard to their right to freedom of religion or belief. The State needs to bring the applicable standards to the attention of the relevant authorities and personnel of detention facilities and to enhance their sensitivity that the effects of violations of the religious rights of detainees may not be confined to the detention facilities but can also impinge on the overall climate of religious tolerance, even at the international level.

67. Refugees, asylum-seekers and internally displaced persons also find themselves in a situation of particular vulnerability. The Special Rapporteur would like to refer to paragraph 80 of the outcome document of the Durban Review Conference which reiterates that the national, regional and international response and policies, including financial assistance, towards refugee and internal displacement situations in different parts of the world, should not be guided by any form of discrimination prohibited by international law. For the whole asylum determination process it seems crucial to have accurate, objective and up-to-date information on the countries of origin of asylum-seekers and on any past or present religious persecution. The Special Rapporteur would like to emphasize that asylum adjudicators should not exclusively base their decisions on preselected sources, especially when the situation in the country of origin or the region in question has allegedly changed since they were last updated. Furthermore, the Special Rapporteur would like to emphasize that well-trained, reliable and impartial interpreters are needed for asylum interviews in order to avoid serious disadvantages for the asylum-seekers.

68. The situation of children and their freedom of religion or belief also deserve specific mention. In line with the concept of "evolving capacities" of the child and in order to ensure free and informed choices about his or her freedom of religion or belief, the Special Rapporteur would like to highlight the following approaches. Special attention should be paid to encouraging positive attitudes and, in view of the best interests of the child, to supporting parents to exercise their rights and fully play their role in education in the field of tolerance and non-discrimination.[33] Rather than leading to indoctrination, teaching about religions and beliefs should be carried out in a fair and balanced manner. In this regard, the *Toledo Guiding Principles on Teaching about*

[33] See E/CN.4/2002/73, appendix, para. 9.

Religions and Beliefs in Public Schools[34] provide practical guidance for preparing curricula for teaching about religions and beliefs as well as preferred procedures for assuring fairness in the development of such curricula. In addition, States should endeavour to eradicate prejudices and conceptions incompatible with freedom of religion or belief, and to ensure respect for and acceptance of pluralism and diversity in the field of religion or belief.

69. Members of religious minorities also remain vulnerable to violations of their right to freedom of religion or belief and other acts of religious intolerance. The Special Rapporteur would like to point out that a certain religion may be a minority in one part of the world and suffer as a result; however, it may constitute the religion of the majority of the population in another part of the world. Government officials and civil servants should be adequately trained in human rights standards and in this regard particular attention should be paid to freedom of religion or belief. More generally, States should take appropriate measures in the field of education in order to encourage a wider knowledge in the society at large of the history, traditions, language and culture of the various religious minorities existing within their territory. Furthermore, a public policy framework for pluralism and equality should ensure an equitable allocation of resources, including broadcasting frequencies, among public service, commercial and community media, so that together they represent the full range of cultures, communities and opinions in society.[35] While mainstreaming religious minorities, affirmative action is important in some areas in order to empower these minorities and raise awareness about their situation.

70. With regard to the situation of migrants, the Special Rapporteur is concerned at restrictions imposed on their freedom to manifest their religion or belief publicly and she recalls that according to international human rights law any such limitations must be prescribed by law and must be necessary to protect public safety, order, health, or morals or the fundamental rights and freedoms of others. In addition, States should implement specific measures involving the host community and migrants in order to encourage respect for cultural diversity, to promote the fair treatment of migrants and to develop programmes, where appropriate, that facilitate their accommodation into social, cultural, political and economic life.

71. The protection of the right to freedom of religion or belief of all persons in vulnerable situations must include a preventive dimension. It is therefore of utmost importance that due attention be given to early signs of intolerance that may not be human rights violations themselves, but that may ultimately lead to religious discrimination. The mandate, therefore, bears a wide responsibility. It is not only limited to the monitoring of situations of human rights violations but also has a role to play in the detection of early warning signs of intolerance that may lead to discrimination based on religion or belief.

72. It is vital to prevent any distinction, exclusion, restriction or preference based on religion or belief which aims at or leads to the nullification or

[34] Prepared by the OSCE/ODIHR Advisory Council of Experts on Freedom of Religion or Belief, text available online at www.osce.org/publications/odihr/2007/11/28314_993_en.pdf.

[35] See *Camden Principles on Freedom of Expression and Equality*, Principle 5, available online at www.article19.org/advocacy/campaigns/camden-principles.

impairment of the recognition, enjoyment or exercise of human rights and fundamental freedoms on an equal basis. States have the obligation to act effectively upon these early warning signs and to take all appropriate necessary measures to redress a situation that could lead to large-scale violations of human rights, including the right to freedom of religion or belief. In this context, the Special Rapporteur would like to draw attention to the different obligations of the States with regard to discrimination and intolerance, as stipulated in the 1981 Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief. Its article 4 affirms that all States shall take effective measures to prevent and eliminate discrimination on the grounds of religion or belief in the recognition, exercise and enjoyment of human rights and fundamental freedoms in all fields of civil, economic, political, social and cultural life and that all States shall make efforts to enact or rescind legislation where necessary to prohibit any such discrimination, and to take all appropriate measures to combat intolerance on the grounds of religion or other beliefs in this matter.

73. In order to foster a climate of religious tolerance, it would be advisable for States to devise proactive strategies. It is pivotal that political leadership takes a clear and human rights based approach on the question of religious tolerance and communicates its position both throughout party cadres and to the public at large. In addition to legislation, States have several tools at their disposal to counter religious intolerance, for example by encouraging inter-religious and intra-religious dialogue as well as by providing quality education, including on human rights. These approaches need to be inclusive also in terms of the religions or beliefs covered and the State should refrain from interfering with the freedom of thought, conscience and religion of individuals, in accordance with international human rights law. Above all, the rule of law and the functioning of democratic institutions are prerequisites for the effectiveness of these strategies which seek to encourage a real dialogue and understanding.

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Promotion and protection of human rights: human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms

Human rights and cultural diversity

Report of the Secretary-General

Summary

The present report is submitted pursuant to paragraph 152 of General Assembly resolution 62/155, by which the Assembly requested the Secretary-General to prepare a report on human rights and cultural diversity, taking into account the views of Member States, relevant United Nations agencies and non-governmental organizations, for the Assembly at its sixty-fourth session. In light of that request, the Office of the United Nations High Commissioner for Human Rights invited States, United Nations agencies and non-governmental organizations to submit written comments regarding the recognition and importance of cultural diversity among all peoples and nations in the world. The present report provides a summary of the answers received. The comments received from Governments tend to focus on measures taken within the State to promote cultural diversity and to combat racism, xenophobia, intolerance and discrimination.

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I. Introduction

1. In response to the request for information sent by the Office of the High Commissioner for Human Rights in accordance with General Assembly resolution 62/155, as of 10 July 2009, 10 replies had been received from Member States. The replies are summarized below.

II. Summary of information received from Governments

Algeria

[Original: French]
[1 July 2009]

2. The Government of Algeria considers cultural diversity as an essential component of the dialogue between civilizations and cultures. Algeria has actively participated in the discussions on these issues and has ratified several international instruments on the protection of cultural heritage. Algeria has also adopted national legislation to translate those international commitments into domestic law.

3. Algeria has developed a partnership strategy in the cultural domain. In this regard, Algeria has co-organized and will host important cultural events, such as the Pan-African Cultural Festival, and has participated in different international cultural initiatives, including the feasibility study for the creation of the Pan-African Cultural Institute and the renovation of the Great African Museum of Algiers, among others.

4. Algeria has also included the respect for cultural diversity in the Constitution, by recognizing the Amazigh language as a national language. Teaching in different national languages is encouraged in the school system, and the State has supported film and theatre productions in both national languages.

5. Institutionally, Algeria has established bodies in the area of scientific research and dissemination of national cultures with a view to reflecting plurality, international cultural exchanges and cooperation and the preservation of natural parks.

6. Algeria has also employed additional resources to ensure access to cultural expressions, and to build new cultural infrastructure, such as museums, theatres, cinemas, libraries and cultural centres.

Belarus

[Original: Russian]
[29 May 2009]

7. The population of Belarus consists of more than 130 nationalities. An important factor of inter-ethnic stability is the consistent policy of the Belarusian State of free development of cultures, languages and traditions. Belarus has ratified the main international human rights instruments and its legislation on the rights of members of national communities fully complies with international standards as confirmed by authoritative foreign experts. According to article 15 of the Belarusian

Constitution, the State has the responsibility of preserving the historical, cultural and spiritual heritage and promoting the free development of the cultures of all national communities which are living in the country. Rights and freedoms cannot be restricted on the basis of national or cultural characteristics, and forced assimilation is prohibited.

8. Representatives of main national and cultural communities hold high-level positions in the social structure, economy, politics and culture of Belarus. No conflicts based on ethnic, racial, cultural, linguistic or religious grounds have taken place in the country. In Belarus, there are 123 non-governmental organizations representing 24 national and cultural communities, 41 of which have international status. These organizations carry out cultural, educational, information and charity activities with the support of national, regional, municipal and local authorities.

9. Representatives of all national communities have the right to use their native languages. Different educational institutions teach languages other than Belarusian, such as Polish and Lithuanian. Educational institutions with ethno-cultural components are supplied with corresponding textbooks and materials with the assistance of the Belarus Ministry of Education and of other countries, such as Poland, Lithuania, Latvia, Ukraine, Armenia, the Republic of Korea and others.

10. Belarus has created different bodies to promote intercultural dialogue and cultural pluralism. There is a specific State Programme 2006-2010 to reinforce cultural pluralism and tolerance in Belarus. The Advisory Inter-ethnic Council under the Representative on issues of religions and nationalities offers a good example of constructive interaction and collaboration between national associations and State authorities. The Council is composed of representatives of more than 20 nationalities, representing the interests of national and cultural associations active in Belarus.

11. The promotion of mutual understanding and cooperation between different cultural and religious traditions has also constituted a pillar of Belarusian foreign policy. Belarus participates in a range of bilateral and multilateral initiatives on cross-religious and cross-cultural dialogues and peace support activities within the United Nations framework.

Bolivia

[Original: Spanish]
[15 June 2009]

12. In its reply, Bolivia described efforts undertaken to incorporate cultural diversity in its normative framework and public policies. For example, on 7 February 2007, a new Constitution was promulgated, with important references to cultural diversity.

13. Article 1 of the Constitution proclaims that Bolivia was founded on political, economic, legal, cultural and linguistic pluralism and plurality. Article 3 establishes that "the Bolivian nation is composed by the totality of Bolivian men and women, indigenous nations and peoples, peasants, and inter-cultural and Afro-Bolivian communities, which jointly make up the Bolivian people". Article 98 (I) points out that "cultural diversity constitutes the essential basis of the Plurinational and Communitarian State". Moreover, it states that "inter-culturalism is the instrument

for the cohesion and balanced and harmonic coexistence among all peoples and nations. Interculturalism will recognize differences and equality in conditions". The Constitution establishes that it is a fundamental duty of the State to preserve, develop, protect and disseminate the existing cultures. According to article 100, the heritage, the world view, the myths, the oral history, the dances, the cultural practices and the traditional knowledge and technology of indigenous nations and peoples are considered part of the identity of the State, which is obliged to protect them.

14. The new Constitution also refers to the rights of Afro-Bolivian people and of indigenous peoples that decide to maintain their isolation. Spanish and all indigenous languages spoken in the country are considered official languages, and different State authorities have the duty to use Spanish and at least another language, depending on the area.

15. Bolivia has ratified the major international human rights treaties and endorsed the content of the United Nations Declaration on the Rights of Indigenous Peoples. In order to implement constitutional and international human rights commitments related to cultural diversity, a new Ministry of Cultures was created. The Ministry was mandated to formulate and implement policies to protect and disseminate the different cultures of the country, and to ensure that inter-culturalism and cultural diversity are the basis of national development. The Ministry is also in charge of protecting cultural heritage, ensuring participation of the different nations, peoples and communities and promoting research on the cultural practices of indigenous and native peoples.

16. The promotion of cultural diversity and of the indigenous cultures and world view, and their articulation in national development, have also been included in the National Development Plan and in the National Human Rights Plan 2009-2013 of Bolivia.

Cyprus

[Original: English]
[4 June 2009]

17. Cyprus offered a very detailed overview of legal and other measures adopted to combat racism, intolerance and xenophobia, which is summarized below.

18. Cyprus has adopted an important number of anti-discriminatory measures, especially since joining the European Union in 2004. Those measures include comprehensive legislation, structural changes and a series of awareness-raising activities, campaigns, conferences, seminars, research and publications.

19. Cyprus has ratified the most important international human rights instruments against discrimination and adopted implementing legislation in different areas. National laws prohibit discrimination on diverse grounds and in different spheres, providing access to courts for victims of discriminatory acts and entrusting different authorities to initiate investigations in cases of alleged violations. A special independent agency, the Commissioner for Administration, was created to combat and eliminate discrimination, both in the public and private spheres. In addition, the Cyprus Equality Body consists of an Anti-Discrimination Body and an Equality Authority.

20. Legislation also exists to ensure the rights of asylum-seekers and foreign nationals, and the judicial system has developed substantive case law in the field of non-discrimination. Furthermore, a number of national action plans have been developed.

21. Regarding campaigns and awareness activities, Cyprus has organized a number of seminars for different stakeholders, including governmental and non-governmental organizations, members of the Parliament and the judiciary, the police, independent bodies, social partners, workers and employers associations, in order to create awareness of existing relevant legislation. Cyprus has also produced and disseminated accessible training materials on issues regarding discrimination, including the rights of persons in custody and the inclusion of multicultural education for police forces. Cyprus also sponsors and monitors awareness-raising activities carried out by the Ombudsman and civil society organizations.

22. The integration policies of Cyprus include the areas of education, employment, social inclusion and cultural integration, with particular attention to the situation of migrant workers, asylum-seekers and their children. The policy on the elimination of discrimination has led to a reform of the school curriculum and to the revision of existing textbooks. The policy is aimed at promoting a culture of peaceful cohabitation, mutual respect and cooperation between Greek and Turkish Cypriots. Specific measures were also taken to promote the social inclusion of Cypriot Roma.

Greece

[Original: English]
[2 June 2009]

23. In its response, Greece provided a detailed account of measures adopted to combat racism and xenophobia against migrants and vulnerable minorities and to promote intercultural dialogue.

24. Legal measures have been taken to sensitize police officers on issues of respect and protection of human rights, and for dealing with racism, xenophobia and intolerance during police actions. Measures have also been taken to combat racism and xenophobia in the media, including the publication of guidelines to the media on the prevention of discrimination and promotion of diversity. Moreover, public media broadcast and provide information, including programmes on human rights and migrants, in foreign languages.

25. Specific actions, including in cooperation with Albania, Bosnia and Herzegovina, Georgia, the Republic of Moldova and Ukraine, have been taken regarding women's rights, including migrant women, Roma women, women looking after minors or persons with disabilities and victims of trafficking. Other initiatives to combat racism, xenophobia and discrimination and to promote intercultural dialogue have been carried out at the municipal level. Intercultural dialogue is an important part of the relations between Greek local governments and foreign local governments, channelled through different international cooperation agreements.

Guatemala

[Original: Spanish]
[7 July 2009]

26. Guatemala, in its response, offered a detailed description of the multicultural and multilingual composition of the country's population, comprised of four main cultures (Mayan, Xinca, Garifuna and Ladina) and of more than 25 languages, including 22 Mayan languages.

27. In view of the high levels of poverty and extreme poverty among indigenous groups, a national public policy on coexistence, elimination of racism and racial discrimination has been adopted. The policy is based on seven principles: coexistence, equality, tolerance, inclusion, pluralism, democracy and gender equality. The policy addresses State racism, the notions of racism and racial discrimination, the incidence of racism in Guatemala and indicators of discrimination and racism (including indicators of differences in salaries and access to health care). The overall goal of the policy is to implement actions oriented to the consolidation of a plural State, through the identification and eradication of racism and racial discrimination.

28. The Constitution acknowledges the plural composition of the country's population and recognizes, respects and promotes the lifestyle, customs, traditions, social organization, use of traditional clothes, languages and dialects of indigenous peoples (article 66). The Constitution also recognizes that everyone has a right to participate in cultural life and the rights of individuals and communities to cultural identity, according to their values, customs and languages. Ratification of international treaties and the adoption of legislation to implement the Peace Agreements also reflects respect for cultural rights of indigenous groups. Indigenous groups are institutionally represented in national administrative and development bodies and legislation exists to protect indigenous cultural heritage.

29. Institutionally, Guatemala has established bodies in charge of implementing cultural rights and combating racism and racial discrimination. The Government's Plan of Action for 2008-2012 includes interculturalism as one of four priorities. The inclusion of ethnic groups is considered a central value of public action by the Government, on the basis of which the Ministry for Sports and Culture and the Academy of Mayan Languages have taken the lead in the implementation of programmes to promote the respect of human rights towards the recognition of the cultural and linguistic diversity of Guatemala. The Ministry of Education has implemented a pluricultural and bilingual education programme, to promote teaching and learning in Mayan languages.

30. Economic development has also been approached from the perspective of the respect for cultural pluralism and diversity. Guatemala is implementing an economic development programme focused on enhancing development in rural areas, which focuses on respect for the traditional ways of indigenous organization and trade of indigenous groups.

Kazakhstan

[Original: English]
[9 June 2009]

31. In its response, Kazakhstan detailed its international initiatives for the development of cooperation between States to strengthen global security and intercultural and interfaith communication.

32. Kazakhstan regularly hosts a congress of leaders of world and traditional religions. In May 2009, Kazakhstan convened the Council on Interaction and Confidence-Building Measures in Asia, organized by the Ministry of Culture and Information in cooperation with the Assembly of Peoples of Kazakhstan. The Forum was an important step towards strengthening intercultural dialogue and the adoption of best practices for inter-ethnic harmony as an effective tool for preserving peace and security in Asia.

33. At the national level, Kazakhstan created in 1995 the Assembly of Peoples of Kazakhstan, a multi-ethnic consultative group and advisory body to the President of Kazakhstan, with constitutional status and representation in Parliament. In Kazakhstan, there are some 3,000 mass media operating in different languages, and State media broadcasts in 13 languages. Linguistic diversity is also reflected in education. Kazakhstan supports the publication of works of culture and science, philosophy and literature, and supports the preservation and protection of historical monuments, some of which are included in the World Heritage List.

Mexico

[Original: Spanish]
[3 June 2009]

34. In its response, Mexico underscored its vast cultural diversity and provided detailed information about indigenous peoples and communities within Mexico.

35. Almost 10 per cent of the Mexican population is indigenous and the linguistic heritage of Mexico includes 10 linguistic families, 60 linguistic groups and 364 linguistic varieties. Article 2 of the Mexican Constitution notes that Mexico "has a pluricultural composition, originally based on its indigenous peoples". Indigenous peoples have the right to maintain and enrich their language, knowledge and every element constituting their culture and identity, and the State is obliged to ensure these rights at all levels.

36. Regarding the measures taken to promote cultural diversity, Mexico has taken a number of legal initiatives including the adoption of a General Act on Indigenous Peoples' Linguistic Rights, which recognized indigenous languages as national languages. The Act prohibited discrimination on the basis of language and created the National Institute of Indigenous Languages with the mandate of designing strategies and instruments to develop indigenous languages, promoting the knowledge and use of indigenous languages, including through artistic, literary and educational activities, certifying bilingual professionals and promoting research on indigenous languages. Indigenous languages are adequately integrated in education and in access to the justice system.

37. In 2004, Mexico adopted an intercultural health policy to build the capacity of health-care professionals providing services in multi-cultural areas and in incorporating traditional indigenous medicine into the national health system.

38. The submission by Mexico also detailed a number of initiatives led by the National Commission for the Development of Indigenous Peoples. Among these initiatives, actions were taken to strengthen the capacity of indigenous organizations, including women's organizations, to promote indigenous groups' cultural expressions and protect the intangible cultural heritage of indigenous communities.

Monaco

[Original: French]
[7 July 2009]

39. The Principality of Monaco is a plural community: cultural diversity is reflected in the 123 nationalities comprising its population. Freedom of conscience, expression and association ensure the expression of cultural diversity in Monaco.

40. Monaco has signed different bilateral cultural cooperation agreements and hosted a theatre festival and an international meeting on "Monaco and the Mediterranean". Many cultural associations based in Monaco promote participation in international cultural exchanges and mutual understanding. Monaco has supported dialogues and exchanges between such associations.

Spain

[Original: Spanish]
[6 July 2009]

41. Cultural diversity is a basic principle of the Spanish and European model and that is relevant in internal and international affairs. At the national level, autonomous communities are empowered to implement their own cultural policies. Internationally, some priorities of Spanish cultural policy (in relation to Latin America, the Mediterranean and Europe) are closely link with the acceptance of cultural diversity.

42. Every society and social group has a cultural capital which reflects the system of values on which its identity was founded. Respect for cultural identities, the protection of cultural heritage, equality of opportunities between all cultures and democratic principles and values are necessary to consolidate cultural dialogue and ensure the cohesion of societies, and to prevent and resolve conflicts. Respect for cultural identity is essential for peace.

43. Spain underlines the importance of the economic and legal protection of cultural diversity, including promoting interculturalism and dialogue between cultures, social cohesion and public support to culture and cultural industries. Culture is a factor for economic development and employment. Culture is necessary to establish synergies among different actors involved in the promotion of cultural rights and to emphasize the importance of cultural diversity within the United Nations system.

44. Cultural diversity has been a basic principle of action by the Spanish Ministry of Culture. Cultural diversity is deeply linked with pluralism and democracy, social cohesion regarding cultural identity and employment, cultural dialogue and the Government's authority to pursue cultural policies, with a view to ensuring that cultural goods and services are commercialized.